SICUT PATRIBUS SIT DEUS NOBIS
BOSTONIA
CONDITA AD.
1630.
CIVITATIS REGIMINE DONATA A.D. 1822

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Compliments of
DAVID F. BARRY,
PRESIDENT OF
BOSTON COMMON COUNCIL,
MEMBER FROM WARD 16.

RE-DEDICATION

OF THE

OLD STATE HOUSE.

Faulkner

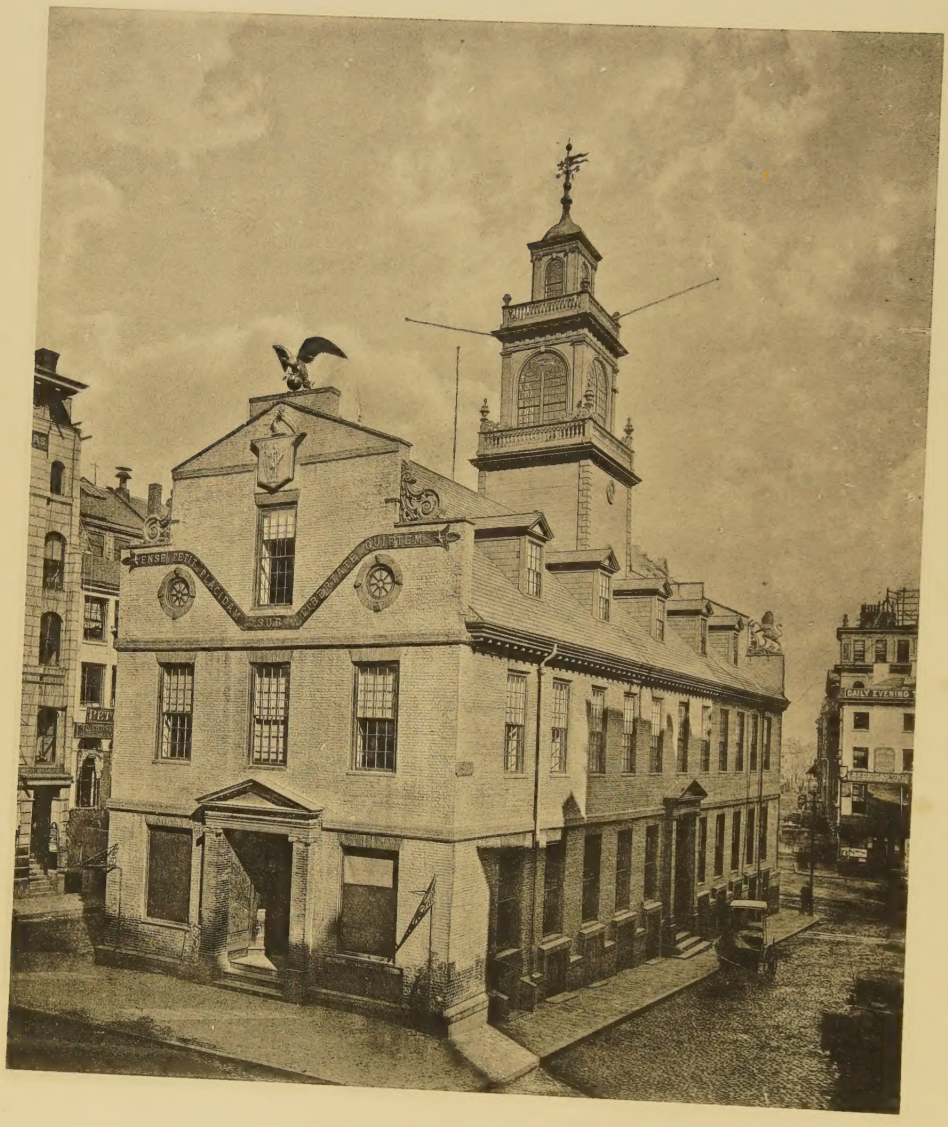
139 Dartmouth St.

Boston,

The Bismark

Suite 3

August
1885



OLD STATE HOUSE.

WEST END, 1883.

RE-DEDICATION

OF THE

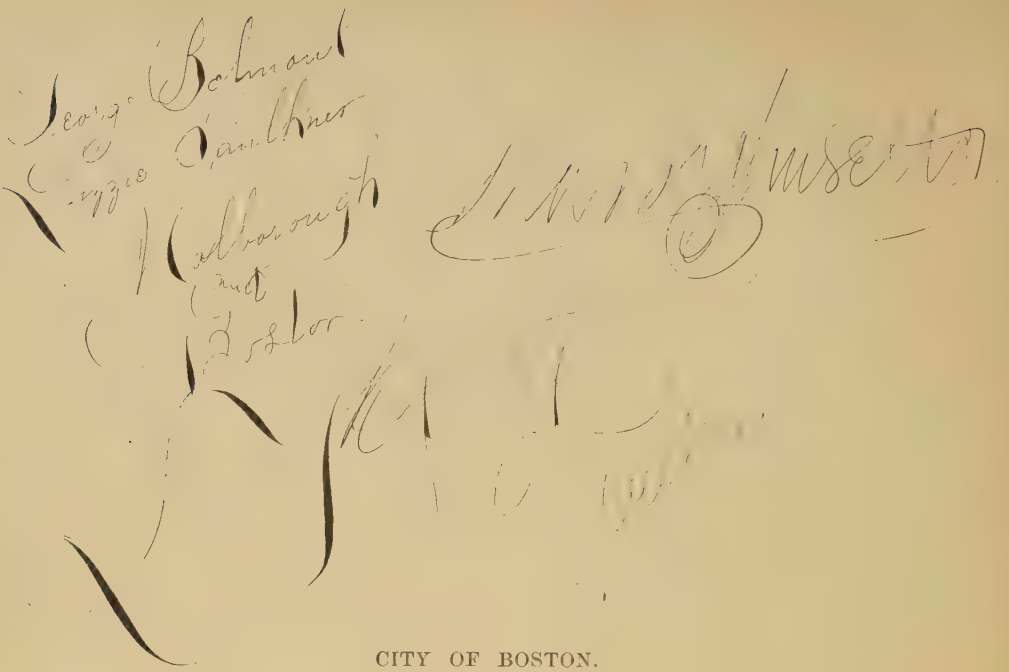
OLD STATE HOUSE,

BOSTON,

JULY 11, 1882.

SIXTH EDITION.

Boston:
PRINTED BY ORDER OF THE CITY COUNCIL.
1893.



CITY OF BOSTON.

In Common Council, March 23, 1893.

Ordered, That the Superintendent of Printing, under the direction of the Committee on Printing, be authorized to have reprinted an edition of fifteen hundred copies of the Old State House Memorial, each member of the City Council to be furnished with ten copies; the expense thus incurred to be charged to the appropriation for Printing Department.

Passed. Sent up for concurrence. In Board of Aldermen, March 27, concurred. The foregoing order was sent to the Mayor March 29, 1893, and was not returned by him within ten days thereafter.

A true copy.

Attest:

J. M. Galvin,
City Clerk.

Rockwell and Churchill, City Printers, Boston.

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* From the Memorial History of Boston, by permission.

PRELIMINARY NOTE.

PRELIMINARY NOTE.

THE restoration of the Old State House is an event of which every Bostonian may well be proud. The history of the building is so indissolubly connected with the most stirring events in the annals of the city, and of the nation also, that it is a source of peculiar gratification to know that the ancient edifice has been saved from destruction, and will be handed down to future generations in a form substantially the same as it presented when within its venerable walls "the child Independence was born."

The building narrowly escaped destruction in 1876. In that year the leases expired, and an effort was made to remove it, on the ground that it was an obstruction to the extension of Devonshire street. The subject was vigorously discussed in both branches of the City Council, and resulted in a compromise, by which the portico on the easterly end, built in 1830, was removed, and the space that it occupied thrown into the street. The building was then re-leased for a term of five years.

At the termination of the leases, in 1881, the question arose as to whether the building should be again leased, or whether it should be restored to its original condition and preserved for public purposes.[1] The latter view pre-

[1] For report of hearings, see City Document 71 B, 1881

vailed, and the result is commemorated in the following pages.

The history of the Old State House is so completely related in Mr. Whitmore's oration that any further elaboration on the subject appears superfluous; but, inasmuch as attempts have been made to throw discredit upon the claims of the building to be a genuine relic of revolutionary and pre-revolutionary times, a few words on that point may not be out of place.

Throughout all the changes that have taken place the Old State House has preserved its original form more closely than any other of the historic buildings of the country. The alterations that have been made from time to time were such as did not affect the construction of the building to any great extent, and the material in it to-day is mostly that which was put in place by the original builders. The work of restoration consisted mainly of removing the additions that were made when the building was fitted up for mercantile uses. The new work placed in the building consisted principally of interior finish, such as would naturally require renewal in course of time from the wear and tear incidental to buildings used for public purposes.

For the purpose of more fully illustrating this fact it has been thought desirable to present several reproductions of old prints which show the appearance of the building at different times, and prove that the exterior form of the old building has not been materially changed.

The first view is that given in Paul Revere's engraving of the Boston massacre, made about 1770. This is the

earliest view extant, and is particularly interesting from the fact that it is the only one which shows the lion and unicorn. The view of 1785, taken from the cover of the "Boston Magazine" for July of that year, gives a clearer view of the lower story, and shows that the lion and unicorn had been removed since Paul Revere's sketch was made. The fact that an engraving of the building was chosen to embellish the title-page of a popular magazine indicates that it was considered of considerable importance at that time. This is still further shown by a view of the building being placed upon the policies of the Massachusetts Fire Insurance Company, incorporated in 1795, a copy of which is herewith given.

The view of 1801 is an engraving made for the Memorial History of Boston, from a painting by J. B. Marston, in the possession of the Historical Society. The view of 1821, from Hales' survey, shows the first extensive alteration. The steps had been removed and a large window substituted for the door under the balcony.

The view of 1826, from Snow's history, shows that a clock had been substituted for a sun-dial. Chimneys also appear for the first time. They were probably built when the upper portion of the building was leased to the Masonic order. The view from Snow's Geography, of 1830, shows the alterations made when the building was fitted up for municipal purposes. The upper balcony was extended across the building, and was supported by eight heavy columns, arranged in pairs, and resting upon a lower balcony. This view is the only one that shows the town-pump, which is still remembered by many of our older citizens.

Salmon's picture of the fire in 1832, and the view from Bowen's volume of 1838, both show the building unchanged.

The view made by Loring, in 1876, shows the addition of a Mansard roof, and gives a correct idea of the building as it appeared when given over completely to business purposes. Shortly after this sketch was made the balconies on the easterly end were removed in order to widen the street, and the building then appeared as shown in the view made in 1880.

Turning now to the Washington-street end, the earliest view is that of 1789, taken from the "Polyanthus." This print shows a temporary balcony, erected for the accommodation of General Washington, when he reviewed the procession in honor of his visit to Boston. It shows, also, the triumphal arch, which was thrown across Washington street. In this connection a copy of the programme of the procession is given, slightly reduced in size, from the original now in possession of the Public Library.

The views of 1791 and of 1795, both from the "Massachusetts Magazine," show no alteration in the building.

The drawing made by Hunt, and lithographed by Pendleton, in 1835, shows a balcony supported by heavy columns, and corresponds with a view given in the Bewick Company's map of same date.

A lithograph made in 1850 shows that the columns had been removed, and a modern store front put in. This condition remained substantially unchanged in 1880.

The plan prepared by Isaiah Rogers in 1830, when the building was adapted to city uses, explains the theory of this reconstruction.

On examining these views it will be seen that the original lines of the old building have not been altered, and that the exterior walls remain intact, except where the doors and windows in the lower story were enlarged.

Comparing the Old State House with other historic buildings, as, for instance, Independence Hall, in Philadelphia, and Faneuil Hall, the former has certainly the strongest claim to be regarded as a genuine relic. Etting's history of Independence Hall proves that the work of restoring that edifice was attended by far greater difficulties than were met with in the Old State House.

Two views of Faneuil Hall are given. One from the "Massachusetts Magazine," showing the building as it appeared in revolutionary days; the other, from Snow's history, showing it after it was enlarged in 1808, or as it is to-day. A white line on the latter engraving indicates the outline of the old building, and shows that the historic Faneuil Hall was a much smaller building than the present one; in fact, but a small portion of the old building remains; nevertheless, no one questions the title of both Independence Hall and Faneuil Hall to be venerated as genuine relics of historic times.

It will be noted that the present is the sixth edition of this book, the first being printed in 1882, the second in 1883, the third in 1885, the fourth in 1887, and the fifth in 1889. The first two editions were substantially alike, but in the third five appendices were added, increasing the volume from 179 pages to 216 pages. The main increase was in Appendix M, being a reprint of an essay by Dr. George H. Moore on the history of the building, and Appendix N, in which Mr. Whitmore replied to his criticisms.

In the fourth edition, Appendix M has been somewhat condensed and Appendix N omitted, thereby removing the controversial parts of these articles. Appendix F, of former editions, which was a history of the City Hall, the Court House, and the Jail, was re-written in the light of later information, and now constitutes Appendix L. This rendered it necessary to alter the numbering of the appendices, and to make some slight changes in the position of the illustrations.

The sixth edition is printed from the plates of the fifth issue, but two or three additional illustrations are given and duly noted in the list on page 6.

J. L. H.

City Hall, Boston, June, 1893.

PROCEEDINGS AT RE-DEDICATION.

OLD STATE HOUSE.

EAST END, 1882.

PROCEEDINGS AT RE-DEDICATION.

The five years' lease of the Old State House expired July 1, 1881. In anticipation of that event it was suggested that the historic interest of the building was so great that it might be desirable to retain the control of, at least, the upper part floor of the building for public uses, and to restore the whole edifice to the appearance it wore a century ago. The City Council, after considerable discussion, voted to appropriate the sum of thirty-five thousand dollars for repairs on the building, putting the charge, as usual, in the hands of the Committee on Public Buildings, of which Alderman William Woolley was chairman in 1881 and 1882.

The work proved greater than was anticipated; but on June 29, 1882, the committee was able to announce the substantial completion of their labors (see City Doc. 100), and to invite the City Council to attend at the formal transfer of the building to His Honor the Mayor, on Tuesday, July 11. Accordingly, on the forenoon of that day, the following proceedings took place, which are now published by order of the City Council.

The ceremonies were held in the East Hall, occupied in colonial times by the Governor and Council, afterwards by the State Senate, and from 1830 to 1840 by the Board of Aldermen. Portraits of the old governors, Winthrop,

Endicott, Bellingham, and Burnet, were kindly loaned for the occasion, by direction of Hon. Robert R. Bishop, President of the Senate. The Massachusetts Historical Society loaned portraits of Governors Belcher, Joseph Dudley, and Hutchinson. The Public Library contributed a caricature of Governor Gage, and engravings of Governors Pownall and Andros also hung upon the walls.

In the West Hall, formerly occupied by the House of Representatives, and later by the Common Council, were the superb portraits of Samuel Adams and John Hancock, owned by the city, and Stuart's portrait of Josiah Quincy, Jr., the patriot. Other interesting pictures and engravings adorned the various rooms. The orator of the day delivered his address from the Speaker's desk used in the old House of Representatives, and now owned by the Massachusetts Historical Society.

Owing to the unavoidable absence of Alderman Woolley, chairman of the committee, the assemblage was called to order by Alderman HERSEY, who spoke as follows: —

Mr. Mayor, Gentlemen of the City Council, Ladies and Gentlemen: —

You are assembled here to-day to receive the report of the committee to whom was assigned the duty of renovating and restoring the Old State House. The work is completed, of which you have the evidence before you, and I am happy to say it has been done within the estimates and appropriation.

The work of restoration has not been accomplished except by much expenditure of time and thought in delving among old documents for evidences of what the building was in its early days; and it presents to-day, both as to its exterior and interior, substantially the same appearance that it did in those early days of its history when the noble men, whose portraits look down upon us here walked these streets, and to the gathered citizens within these historic walls spoke the patriotic words of counsel that incited them to deeds of noble daring in defence of national liberty, and made this country a free republic.

It would seem proper that, in dedicating this building to purposes akin to those for which it was originally designed, we should seek the Divine favor. I therefore will request the Rev. Dr. Rufus Ellis, pastor of the First Church, to ask a blessing. It would seem appropriate and fitting that he, the pastor of the church which in its early days was located in this immediate vicinity, should thus officiate. You will please give your attention while the Rev. Dr. Ellis asks a blessing.

PRAYER BY RUFUS ELLIS, D.D.

O God of our fathers, our dwelling-place in all generations, we thank Thee for our goodly heritage.

Not without Thee would we come together. Obedient to Thy voice do we remember the days of old. It is our desire and prayer that by these renewals and restorations we may so strengthen the things that remain, and so bind together our best and most precious hopes, and our dearest memories, that we shall grow thereby in all sweet humanities, and our city be, indeed, as a city set upon a hill whose light cannot be hid, whose light shall shine in praise and works that are just and merciful.

We pray Thee that this ancient house may be forever a common possession, a common joy, and a common pride of all those whose homes and places of daily toil are centred about it, and may it be a memorial to them that they are citizens of no mean city. So may the Lord keep the city; so may its walls be salvation and its gates praise; and so for the abundance of righteousness and love within its borders, may all the walls that are builded by human hands be consecrated; and may this be to us at last, in the brighter and better and holier days, that city of our God, of which it is written, I saw no temple therein: and for the light that shines upon all and upon the house may there be nothing uncommon or unclean.

We pray this prayer unto Thee in His name who bids us render unto Cæsar the things which are Cæsar's, and unto God the things which are God's,

and, in the words which He hath taught us, may we with one heart and one voice say unto Thee: Our Father which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those that trespass against us. And lead us not into temptation; but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

Alderman HERSEY. — Ladies and gentlemen, perhaps to one member of the city government more than all others is due the credit of whatever success has attended the restoration of this building. I allude to that member whose duty and pleasure it will be to address you on this occasion. It gives me great pleasure to introduce to you WILLIAM H. WHITMORE, member of the Common Council from Ward 12.

ADDRESS OF WILLIAM H. WHITMORE.

Fellow-Members of the City Council: —

We are gathered here to-day to re-dedicate a building already hallowed by the patriotic contests of previous generations. We are to strengthen a link in that chain of our history which connects those who resisted the despotism of the Stuarts with those who rebelled against the misgovernment of the mother country, and again with those who so lately fought for the preservation of the unity of the nation. We are to remember that we are henceforth the custodians not only of Faneuil Hall and the Old South, so universally known at the present day, but also of that older and still more revered spot, which, after a temporary neglect and decay, is now to stand pre-eminent among all the buildings in the land.

I will endeavor to set forth, with due citation of authorities, the claims of the Old State House to be the spot most intimately associated with the history of liberty in this Commonwealth, and the right of the present building to assume to be, not the representative of departed glories, but their actual and existing monument, — never obliterated, never changed in any

REPRESENTATIVES' HALL.

COUNCIL CHAMBER.

essential degree, — as fit to-day as it was a century ago to be the glorious theatre of immortal events.

When our forefathers established this town they found that Nature had apparently marked this spot for a centre of the new settlement. A little projection, of which our State street is the ridge, divided the coves lying north and south. The land reached then as far as Kilby street on the one side, and Merchants' Row on the other. On the north the Town Dock, now covered by Quincy Market and even by streets farther inland, reached to the slopes of Copp's Hill. On the south a cove, occupying Liberty square and its vicinity, severed Fort Hill from approach, except on the line of Franklin street. Directly in the range of this point the lofty height of Beacon Hill towered above the narrow plain, through which Washington street and Court street were to be stretched. Along the banks of these coves, and in the low lands between the three hills of Trimont, the houses of the little settlement were soon closely clustered.

Here, on the site since occupied by Brazer's building, was placed the first meeting-house, wherein from the beginning the townsmen met to consult also upon temporal affairs.

In front of the meeting-house was a lot set apart for a market-place as early as 1634, and definitely recognized as such in the Book of Possessions in

1645. It was, as it now is, the land enclosed by the two arms of the street, and its dimensions have never been lessened. On the southerly side of State street Capt. Robert Keayne lived, on the corner of our Washington street, with two neighbors between him and the meeting-house, while Elder Leverett and two others owned the remaining lots. On the north side of State street John Cogan had built the first shop in Boston, on the corner of Washington street; and down the street were the lots of Rev. John Wilson and seven others. Opposite, on Washington street, John Leverett lived on the corner, with Richard Parker south and west.

Such were the first surroundings of this site,[1] until,

[1] In Suffolk Deeds, iii., 386, are the depositions taken in July, 1660, of William Colbron, James Penn, and James Johnson, in regard to the sale of the meeting-house lot to Robert Thompson, of London, now of Boston. The price paid was £160 sterling. The lot is described as follows: "being sixty sixe foote long abutting upon a lane that lieth betweene the same & land lately appertaining unto Thomas Leverett, elder of said church, deceased, but now belonging to Isack Addington, on the north east side; sixty two foote broad abutting upon the great streete wherein the Towne House standeth, on the north west side; sixty four foote long abutting partly upon the great streete aforesaid and partly upon an ally that passeth betweene the same, & the house & land of Henry Phillips, butcher, on the south west side: & being sixty foote broad abutting upon a lane that lieth between the same & the land lately belonging to Robert Scott, deceased, and now in the possession of his relict, on the south east side."

Thus we learn that the lot had a street or an alley on each side. The north-west alley was Pudding Lane, now Devonshire street. The other alley-ways are still represented by Congress square. In 1708, in the list of streets, etc., we find: "The way Leadinge from y^e^ Exchange in King Street,

in 1640, the meeting-house, "being decayed and too small," was sold, and a new one was built on the site since occupied by Joy's Building. The site was in dispute, some wishing to put it on the Green, where the Old South stands. Winthrop, i., 318, writes: "Others, viz., the tradesmen especially, who dwelt about the market-place, desired it might stand still near the market, lest in time it should divert the chief trade from thence." In the meeting-house

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passing by Mrs. Phillips into Water street, *Pudding Lane.* The way Leading from King Street by the house of Isaac Addington, Esq^{r}, with y^{e} returne into Pudding Lane, *Half Square Court.*" In 1736, Half-square court was the lane "from Maccarty's corner turning into Pudding Lane." In 1800, Half-square court was "the way round the buildings back of the Post Office."

This original purchaser, Robert Thompson, was of the family ennobled as Barons Haversham. His son or grandson, William Thompson, of Elsham, county Lincoln, had a son Robert and a daughter Mary, wife of Humphrey Edwin, of St. Albans, county Herts. The only daughter of this last, Elizabeth Edwin, married Thomas Corbett, of Darnhall, county Chester, and 14th January, 1802, Mr. and Mrs. Corbett sold to Thomas Dawes, of Boston (Suff. Deeds, lib. 205, f. 105), their building on State street, called "Boston Buildings," and also the Thompson Farm, in Chelsea. August 21, 1826 (Suff. Deeds, lib. 312, f. 123), six of the Dawes' family sold an undivided half of a lot bequeathed to them by their grandfather, Thomas Dawes, to John Brazer, for $18,357.75. Later deeds show the purchase of the remainder at the same rate. There is a plan recorded with the deed, showing 2,388 feet in all, the lot having evidently been shorn of its original lines on Devonshire street and the corner on State street. Upon the death of Mr. Brazer, in 1828, this lot came to his daughter, Mrs. Sarah Brooks, who died in 1867, and whose children own it. It is a remarkable fact, that a large lot of land on State street should have remained so long in two families.

"the general and great quarter courts are kept," wrote Lechford in 1640. That is to say, our incipient Legislature and primitive courts of law were there held; as, of necessity, must have been convened all town-meetings. At that time there were about two hundred and fifty householders in Boston, representing a population of some fifteen hundred persons. Even in 1685 only ninety votes were cast in town-meeting to elect deputies. (Sewall, i., 67.)

For more than a quarter of a century from the settlement of the town this provision was sufficient. But in 1656 Capt. Keayne died, and his will proved that for years he had been devising benefits for his fellow-townsmen. Keayne was one of the founders of the Ancient and Honorable Artillery Company. His controversy, in 1642, with Mrs. Sherman, about a stray pig, had brought the two houses of the magistrates and deputies to such disputes that they had resolved to sit in different chambers. (Winthrop, ii., 160.) He was a merchant, and had been severely disciplined by the church for trying to make a profit on his ventures beyond the amount which the clergy thought proper. (Winthrop, i., 315.) We need not suspect Capt. Keayne of extortion, for theologians of that date had hardly escaped from the belief that all interest was usury and all profit a breach of Christian charity. Our merchant, however, submitted to discipline, and was restored to

popular favor, being elected to the Legislature and otherwise employed by the town. For three years before his death he had been writing with his own hand that enormous will of one hundred and fifty-eight folio pages, now preserved on our probate records, by which he disposed of some four thousand pounds, — an enormous fortune in those days. Writing laboriously and carefully, evidently desiring that his money should be wisely expended, Keayne planned various ways of aiding his fellow-townsmen. One-half of his estate went to his son, the other to public uses. Three hundred pounds was for the Town House; one hundred for the Granary; fifty to the Free School; fifty to the poor of his church; one hundred to Harvard College; somewhat to the Artillery Company; many legacies to relatives, friends, and servants, — a whimsical, generous, pathetic will, full of a desire to do good according to the best of his light.

But the town of Boston was to receive one gift which would endure even to this day. Three hundred pounds were to be laid out in building a conduit and a market-place, "with some convenient room or two for the Courts to meet in both in summer and winter, and so for the Townsmen and Commissioners in the same building or the like, and a convenient room for a library, and a gallery, or some other handsome room for the elders to meet in; also a room for

an armory." There was to be a room for merchants, masters of ships, and strangers, as well as townsfolk. All this, with much repetition and amendment, is set forth in the will; and the main part endured.[2]

In February, 1656–7, the Selectmen began to take action respecting the legacy, and at the town-meeting in March, 1657, "Capt [Thomas] Savage, Mr [Anthony] Stoddard, Mr [Jeremy] Houchin and Mr Ed[ward] Hutchinson" were chosen a committee "to consider of the modell of the towne house to bee built, as concerning the charge thereof, and the most convenient place; as also to take the subscriptions of the inhabitants to propagate such a building; and seasonably to make report to a publick townes meeting." Keayne had suggested Mr. [Thomas] Broughton and Mr. [John] Clarke, the chirurgeon, as good persons to devise a plan; but these others were trusted citizens.

Although no picture or plan of this first Town House has been preserved, we can get a very good idea of it from the papers preserved by the Massachusetts Historical Society. These documents were published in Mayor Wightman's address at the laying

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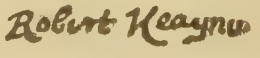
[2] See Appendix I. for a copy of this will. His autograph is



of the corner-stone of the present City Hall, and are reprinted in Appendix F of this volume.

The committee of four, perhaps, reported to the town-meeting, for we find that on the 31st August, 1657, Thomas Marshall, Samuel *Cole* (not Cobb, as is printed in the address), William Paddy, Joshua Scottow, and Jeremy Houchin (of whom all but Houchin were selectmen), "having full power given us" to engage the town for the payment for the house, appointed Edward Hutchinson and John Hull commissioners to attend the work. These two last-named agreed with Thomas Joy and Bartholomew Bernad to erect the building for the £300 of the Keayne legacy, and a further sum of £100, to be subscribed.

We find, also, that, as the work progressed, it was evident that more money would be needed, and, therefore, some hundred and four patriotic citizens contributed the sum of £367.11. As the final payment was £680, evidently this list contains nearly, if not quite, all the donors.

The house was to be 36 feet wide and 66 feet long, set upon 21 pillars 10 feet high, projecting 3 feet over the pillars on each side. Moreover there was a walk on the top, 14 or 15 feet wide, with two turrets, and balusters and rails round the walk. There were to be two pair half-paced stairs, and turned stairs up into the walk. We infer that there were two rooms,

one from each end chimney coming towards the centre, with a staircase at each end, and that one of these halls was subdivided into two rooms. Good floors, windows, mantel-pieces, gutters, and other details are specified, showing that the town intended to have a good building.

Exactly when the first Town House was completed and occupied does not appear by the records, though the contract with Joy and Bernad specifies that it was to be erected by June 30, 1658, and covered and shingled within six weeks later.

May 19, 1658, the General Court passed the following order (Rec., iv., p. 327): —

"In answer to the request of the Select men of Boston, the court judgeth it meet to allow unto Boston, for and towards the charges of their town-house, Boston's proportion of one single country rate for this year ensuing, provided that sufficient rooms in the said house shall be forever free, for the keeping of all Courts, and also that the place underneath shall be free for all inhabitants in this jurisdiction to make use of as a market for ever, without payment of any toll or tribute whatsoever."

The Selectmen of Boston voted March 28, 1659, that no one should smoke or bring a fire or match under or about the Town House except in case of military exercise; so that the building was probably then ready.

Feb. 28, 1660–61, a settlement was ordered with Thomas Joy and partner "for the building of the

towne-house stayre cases and Conduit" by paying therefor six hundred and eighty pounds, deducting what has been paid.

Oct. 9, 1667, the Legislature ordered "the necessary full and suitable repair of the Town and Court House in Boston, *founded by the late Captain Robert Keayne*," one-half of the expense to be paid by the country, one-quarter by the county of Suffolk, one-quarter by the town of Boston. May 31, 1671, they ordered, on the same terms, "by a firm whole wall to the bottom of the braces, with brick or stone to repair the Court or Town House, so that all inconveniences by rotting the timbers &c. be prevented."

Josselyn, who was here in 1663, says, in his account printed three years later, that there is in Boston "a Town House built upon pillars, where the Merchants may confer; in the Chambers above, they keep their monthly Courts."

John Dunton, in 1686, merely repeats the same words. From items in the town records it seems that Richard Taylor hired the shop under the stairs at the west end of the Town House in 1661, and in 1669 he obtained an extension of his term for sixty-one years. In 1666 Robert Gibbs obtained a lease of the cellar under the Town House; and in 1664 Thomas Lake and Hezekiah Usher seem to have been in possession of the east end of the cellar. In 1678 Samuel Shrimpton bought out Lake's interest

from his widow, and obtained an extension of the lease for thirty-nine years. "Oct. 28, 1686, let to John Hayward, notary, the small shop or room in the westerly end of the Town House, lately occupied by Nathaniell Barnes, for 21 years at the rent of ten shillings annually."

We may therefore safely assume that, as the building was raised on pillars, the lower floor was partly partitioned off for shops, leaving a large space for the daily exchange. As early as 1664 a bell was ordered to be rung at eleven o'clock every working day, to give notice of the assembling there for one hour of merchants, strangers, and inhabitants. In 1683 it was voted "that a note set up under the Town House upon one of the pillars, concerning the price of wheat, shall be sufficient notice to the bakers to size their bread by, according to law." May 11, 1696, "agreed that the market appointed by law should be in and about the Town House, and be opened on August 11th, next."

Upstairs we find that there were three rooms, one probably for the Governor and Council, and one for the Representatives; and naturally there would be also some anterooms. Although the first building covered less ground than there is in the present lot, it was probably because there was more space at the east and west ends. The first

house was 66 feet long, the present 110, but the extra space was in the street. In fact, the French map[3] by Franquelin, made in 1693, represents the space occupied by the Town House to be as large as the present ground.

The other portions of Keayne's plans did not prove so permanent. In 1684 and in 1695 mention is made of the Town's Library; but it was perhaps lost in the fire, 1711. As to his Conduit, we know that it failed in some twelve years. It was doubtless to be constructed in imitation of the structures then common in England. "They are a kind of stone cage or cap, under cover of which the conduit pipe rises to the top and then lets down its stream; sometimes openly (the cap being a cage), sometimes unseen, to a reservoir near the bottom."[4] The waste-water was allowed to escape by paved gutters, or otherwise to seek the earth. Doubtless Captain Keayne expected to utilize the springs near his house as a supply of water for daily use, and "especially in case of fire." But such open streams were unsuited to this climate; and that feature of English towns could not be imitated here. In March, 1672 (Town Records, ii., 66), it was

[3] A careful copy of this map is in our Public Library, and heliotypes therefrom have been freely issued.

[4] Prof. William Everett has kindly furnished the above description from his observation in England.

voted that, as the work "by the Providence of God hath not proved so useful as was expected and desired," by an agreement with the overseers of Keayne's will, "liberty was given to Mr. Nicholas Page to take away the bricks belonging to the place intended for a conduit at the end of the Town House, before his door, provided he immediately fill the place even with the ground about it." As Page had bought of the town its half of the new house, adjoining Keayne's old one, which K.'s overseers had given in payment of the legacy, it is clear that the conduit was planned to be on the south fork of State street, beside the Town House.

The first building stood from 1658 to 1711, when it was burned in a terrible conflagration. In it presided Governors Endicott, Bellingham, Leverett, and Bradstreet, under the old charter; Andros, under the orders of King James; and Phips, Stoughton, Bellomont, and Joseph Dudley under the new charter. Through many perils — from Indian foes, from English tyranny, and from domestic treachery — the settlement steadily increased in population and wealth during these fifty-three years. It is estimated by Shattuck that the population of Boston was, in A.D. 1680, four thousand five hundred persons; in A.D. 1690, seven thousand persons; in A.D. 1700,

six thousand seven hundred persons; in A.D. 1710, nine thousand persons.

At one time, indeed, in 1689, this Town House was the centre of a revolution. In April of that year the colonists, inspired by the news that William of Orange had landed in England, took the desperate resolve to rebel against King James and his governor here. It was a rash venture; but it succeeded. Within the previous year Andros, a veteran soldier of large experience, had constructed on the neighboring height a fortification, which gave its name to Fort Hill. He had royal troops under his command, and a man-of-war was anchored off the shore. But the leaders of the people assembled at the Town House in Boston, supported by the bold and resolute freemen of the colony, and in a single day the royal authority was overthrown.[5] It should be forever remembered that, although a like success in England at the same time secured the immunity of these Bos-

[5] In Byfield's Account, reprinted in the Andros Tracts, he states that Gov. Andros, having been captured at the Fort, was "conveyed to the Council-house, where Mr. Bradstreet and the rest of the Gentlemen waited to receive him." Hutchinson, i., 381, says, "A long declaration was read from a balcony or gallery of the Towne House." Beside this there was a broadside issued, subscribed by Wait Winthrop, Simon Bradstreet, and thirteen others, dated "at the Town House in Boston, April 18, 1689," stating to Gov. Andros that "We judge it necessary you forthwith surrender and deliver up the Government and Fortification, to be preserved and disposed according to Order and Direction from the Crown of England, which suddenly is expected may arrive."

tonians, the actors here were then ignorant of that event, and for at least a month they were open and avowed rebels. Nor can it be doubted that the whole course of our history was immensely influenced by the fact that, when William and Mary ascended the throne, they found the cŏlony of Massachusetts so far distinguished from other colonies as to have fought independently for its rights. This old Town House was the first shrine of liberty; and every subsequent act can be clearly shown to be the natural and logical consequence of that first uprising of a free people.

As the centre of the town this old hall must have witnessed many stirring scenes. Unfortunately, until we reach the date of Sewall's invaluable Diary, we have no warrant for the details.

Sewall (i., 138) notes, under date of May 17, 1686, "General Court sits at one o'clock, I goe thither about 3. The Old Government draws to the North-side, Mr. Addington, Capt. Smith and I sit at the Table, there not being room. . . . . Came also Capt. of King's Frigot Gov^r. Hinkly, Gov^r. West and sate on the Bench, and the Room pretty well filled with Spectators in an Instant." May 18 he mentions a great wedding celebrated at

Mr. Shrimpton's by Mr. Randolph's chaplain, "when Prayer was had at the Town House."

May 26, 1686, he notes that Mr. Ratcliffe and the Episcopalians asked to have one of the three churches to preach in. "That is denyed and he is granted the East-End of the Town House, *where the Deputies used to meet*, until those who desire his Ministry shall provide a fitter place."

Dec. 20, 1686, Gov. Andros arrives, "lands at Gov^r^. Leverett's wharf about 2 P.M. when the President, &c., meet him, and so march up through the Guards of the 8 Companyes to the Town House where part of the Commission read."

December 25, 1686. "Governour goes to the Town House to Service Forenoon and Afternoon, a Red-Coat going on his right hand and Capt. George on his left." January 31, 1686–7. "There is a meeting at the Town House forenoon and afternoon: Bell rung for it, respecting the beheading Charles the First: Governour there."

April 26, 1687. "Court sits, President in the Governour's seat, Mr. Stoughton at his right hand, Col. Shrimpton next him; Mr. Lynde at his left hand, Major Lidget next him."

From these notes we infer that before Andros's time the Deputies had the chamber on the east end. Afterwards the Supreme Court held its sessions in the room appropriated to the Governor and

Council, which probably was the same East Chamber, as the Deputies were no part of the government under the Andros administration. This room, having once become the property of the Governor and Council, seems to have remained in use by them until the Revolution.

On May 14, 1692, Sir William Phips arrived, the first governor under the Second or Provincial Charter.[6] Sewall writes (Diary, i., 360): "Sir William arrives in the Nonsuch Frigat: Candles are lighted before he gets into Town-house. Eight Companies wait on Him to his house, and then on Mr. Mather to his. Made no volleys because 'twas Satterday night." "Monday, May 16. Eight Companies and two from Charlestown guard Sir William and his Councillors to the Town-house where the Commissions are read and Oaths taken." Boston, at this date, had not far from one thousand houses and seven thousand inhabitants (Palfrey, iv., 136); but at the election of a representative in May, 1698,

[6] Palfrey (Hist., iii., 590) thus describes the scene: "From far and near the people flocked into Boston; the government, attended by the principal gentlemen of the capital and the towns around, passed in procession on horseback through the thoroughfares; the regiment of the town and companies and troops of horse and foot from the country, lent their pomp to the show; there was a great dinner at the Town House for the better sort; wine was served out in the streets; and the evening was made noisy with acclamations, till the bell rang at nine o'clock, and families met to thank God at the domestic altar, for causing the great sorrow to pass away, and giving a Protestant King and Queen to England."

when there was a spirited contest, only three hundred and eighteen votes were cast. (Sewall, i., 480.)

Phips's administration lasted only two years and a half, and is forever darkened by the shadow of the witchcraft delusion and its judicial murders. Happily for us, none of the sentences were pronounced in Boston; though at the last court held here one Mary Watkins, a servant, despite the verdict of the jury, was imprisoned by order of the court, and sold into bondage in Virginia. (Drake, Hist., 503.) Hutchinson (Hist., ii., 61) relates that Dame Mary Phips, the governor's wife, was applied to in behalf of a woman held for trial for witchcraft.

"The good lady, *propriâ virtute*, granted and signed a warrant for the woman's discharge, which was obeyed by the keeper, and the woman lives still for aught I know." It is fair to conclude that the document was in the usual form, and was taken from the official papers in the governor's chamber. We may safely infer that in this building the first female governor exercised her rights, and we may rejoice that the usurpation was for the glorious prerogative of pardon.

From November, 1694, to June, 1702, the government was mainly in the hands of Lieut. Governor Stoughton, though for a year the Earl of Bellomont

was the nominal governor. Just before the arrival of Bellomont, news was received of the rejection of several of our laws by the home government. Sewall (i., 496) thus describes the scene: "Drum is beat and Allowance and Disallowance of the Acts is published. Lieutenant Governor [Stoughton] and Council standing in the Gallery. Great many Auditors below."

Sewall records (Diary, i., 458), that on September 8, 1697, "the Governour and Council first meet in the Council Chamber, as it is now fitted with ceiling, Glazing, Painting, new Floor that brings it to a Level; New Hearth even with it." This meeting was made noteworthy by the announcement by Col. Pierce that limestone had been discovered at Newbury, — a matter of the highest importance, as, up to that time, the colonists had been obliged to burn oyster-shells for lime. Nov. 14, 1698, a rate of £60 was ordered for the repairing of the Town House, and no other use.

Another day of excitement in the old building must have been that one in July, 1699, when Captain William Kidd was examined by Lord Bellomont and his Council, charged with many notorious piracies. Research, which destroys so many illusions, shows us that the noted pirate was far from being so wicked or so bloodthirsty as fame reported, and certainly reveals a strong infusion of poltroonery in

his character. The muse, however, promptly recorded of him: —

"My name was William Kidd,
As I sailed, as I sailed,
And *most wickedly* I did,
As I sailed."

As an evidence of the various uses to which the building was put, we find that in 1701, "because of the Rain and Mist," the election of captain of the Ancient and Honorable Artillery Company was held in the Town House, when the choice fell upon Judge Sewall. "They call'd down the Council out of the Chamber and set their chairs below: Col. Pynchon gave the Staves and Ensign. . . . . Drew out before Mr. Usher's, gave three volleys; drew into the Town House again." Then Rev. Mr. Pemberton prayed, and the company escorted their commander safely home. So again in 1702, "rainy day, we exercise on the Town House in the Morn."

On May 28, 1702, news arrived at Boston of the death of King William.

"And at last the Gazette, containing the Proclaiming of the Queen came to hand. Then we resolved to proclaim her Majesty here. Regiment drawn up, and Life-Guard of House; Council, Representatives, Ministers, Justices, Gentlemen, taken within the Guard. Mr. Secretary, on foot, read the order of the Council, the Proclamation and Queen's Procla-

mation for continuing Commissions. Mr. Sheriff Gookin gave it to the people. Volleys. Guns. Went into chamber to drink." (Sewall, ii., 56.)

June 1, 1703. "Town-meeting is held in the old Meeting-house because of the General Assembly; 2 p.m. Voters two hundred and six." This entry of Sewall confirms our suspicion that the Legislature had the first claim to occupy the building. In March, 1706–7, the records show that the town meeting was held in the old meeting-house.

In 1704 Captain John Quelch and five other pirates were tried here, and sentenced to be hung. The sentence was executed June 30. Sewall gives us at this time the following picture: "As the Governor [Dudley] sat at the Council-Table 'twas told him Madam Paige [his niece] was dead. He clap'd his hands, and quickly went out, and return'd not to the Chamber again; but ordered Mr. Secretary to prorogue the Court till the 16th of August, which Mr. Secretary did by going into the House of Deputies." (Sewall, ii., 109.)

Sewall records on February 6, 1707–8: "Queen's Birthday. I could not find it in my heart to go to the Town House, because hardly anything is professedly there done but drinking Healths."

1708–9, January 6. "Presently after Lecture, the Act of Parliament regulating Coin is published by Beat of Drum and Sound of Trumpet." (Sewall, ii.,

248.) Undoubtedly from the balcony of the Council Chamber.

March 13, 1709–10. "General Town Meeting. Mr. Cotton Mather went to Prayer; I stood in the Lobby, then went into the Council Chamber. Constable —— came to me and surprised me with telling me that I was Chosen Moderator. I went in, and they would have me sit on the Seat, which I did." (Sewall, ii., 275.)

From this entry it seems that the town meetings were held in the Representatives' Hall, which could well hold the citizens, as the voters only numbered about two hundred. Other entries make it probable that the Supreme Court also used that room, the Council Chamber serving as a consultation room for the judges.

In 1711 the town was much agitated by the arrival of some fifteen men-of-war and seven thousand troops destined for an attack on Quebec. There were abundant festivities and solemn exchange of courtesies between the English and our local authorities. The ignominious failure of the expedition was a sad blow to Massachusetts, although the loss of life was confined mainly to the ships of the British portion of the fleet.

To add to the general depression, a great fire in Boston occurred "about 7 or 8 o'clock of the night between the 2d and 3d of October." "It broke out

in an old Tenement within a back Yard in Cornhill (*i.e.*, our Washington street), near the First Meeting-house, occasioned by the carelessness of a poor Scottish Woman (one Mary Morse), by using Fire near a parcel of Ocum, Chips, and other combustible Rubbish." This spot was in or near Williams' Court. "All the houses on both sides of Cornhill [Washington street] from School street to what is called the stone-shop in Dock-square, all the upper part of King street [State street] on the south and north side, together with the Town House, and what was called the Old Meeting-House above it, were consumed to ashes." (Hutchinson, ii., 200.)

Thus ended, after half a century's use, the first Town House which has stood on this spot. Of course it was necessary to replace it at once; and on the 17th of October the Selectmen of Boston addressed the Legislature, asking its "Advice and Direction for the Restoring and Rebuilding of the House for those Publick Uses, and about the place where to set the same."[7]

A joint committee of four councillors and seven deputies, with Elisha Hutchinson, chairman, was at once appointed, who recommend that a new house be built "in or near where the Old Town House stood," the "breadth not to exceed thirty-six feet, the

[7] See Appendix B for copies of the acts, and other votes.

length so as to be convenient." "The charge to be borne the one half by the Province, the other half by the Town of Boston and County of Suffolk in equal Proportion."

Accordingly, a new committee was appointed, viz.: Elisha Hutchinson and Penn Townsend, councillors, Addington Davenport, Samuel Thaxter and Capt. Phipps, deputies, to attend to the affair, with two persons to be added by the town of Boston. The town assented, and joined Thomas Brattle and William Payne.

March 12, 1711–12, the Legislature voted, as instructions to the committee, that the building be not more than one hundred and twelve feet nor less than one hundred and ten feet in length. November 17, 1712, they voted as instructions to the committee, "that they fit the East Chamber for the Use of His Excellency the Governor and the Honorable the Council, the Middle Chamber for the House, the West Chamber for the Superior and Inferior Courts." And "that there be but two Offices below Stairs in the Province and Court House now Building in Boston, one for the Secretary, the other for the Register of Deeds in the County of Suffolk."

Although we do not know who designed the brick building which speedily arose on the site, we can to-day inspect its sturdy walls and recognize the influence of the Queen Anne period. It is beyond

controversy that the fire of 1747 and the various changes which have been made in the building, in no way affected the exterior walls. We are to-day assembled in a building which dates back to A.D. 1713, and we can form a correct idea of its original and ever continuing appearance.

In 1720 Daniel Neal printed his "Present State of New England," and thus describes the building in its earliest days: —

> "From the Head of the Peer you go up the chief Street of the Town, at the upper End of which is the Town House or Exchange; a fine Piece of Building, containing besides the Walk for the Merchants, the Council Chamber, the House of Commons, and another spacious Room for the Sessions of the Courts of Justice, the Exchange is surrounded with Booksellers Shops, which have a good Trade." (Neal, p. 587.)

In 1708 it was computed that Boston had twelve or thirteen thousand inhabitants; in 1720, eighteen or twenty thousand. (Neal, 601.) The Council consisted of twenty-eight members, the House of one hundred and three. (Neal, 605.)

During the eighteen months which were needed for rebuilding the Town House, the town meetings were held as follows: Nov. 16, 1711, in Rev. Mr. Colman's meeting-house in Brattle street; March, 1712, in the same; March, 1712–13, at the south meeting-house, and May 13, 1713, in the new Town House. Sewall records (ii., 387), May 28, 1713, —

"All the Councillors are sworn except Major Brown, who was not in Town. In the afternoon I declar'd to the Council that Prayer had been too much neglected formerly; we were now in a New House, we ought to Reform; without it, I would not be there. Mr. Secretary assented, and I was desired to see it effected. May 29. Dr. Increase Mather prays Excellently in the Council."

For some years at least this custom of beginning a session of the Council with prayer was continued.

It seems from Sewall's notes that there was a large table in the council-chamber, at which the members sat, and that the Governor occupied the head of it.[8]

[8] Oct. 15, 1713, Sewall records (ii., 402): "I observ'd Two Leather Chairs were set at the end of the Council Table and the Elbow Chair set aside. But when Gen^{l}. Nicholson staid not to sit down, they were remov'd, and the Governor's Arm'd Chair took place again."

Feb. 6, 1713–14. "I went to the Town House on the occasion of the Queen's Birthday. Mr. Bromfield and I sat awhile in one of the windows, *Table being full;* afterwards sat in." Later on that evening, one Mr. Netmaker, secretary to Gen. Nicholson, was drunk and disorderly in a tavern and Sewall ordered his arrest. On March 9th Sewall was at a meeting of the Council. "Sat round a little Fire. I happen'd to sit next Gen^{l}. Nicholson. . . . Then with a Roaring Noise the General said, 'I demand JUSTICE against Mr. Sewall and Pemberton for sending my Secretary to prison without acquainting me with it!' And hastily rose up, and went down and walk'd the Exchange, where he was so furiously Loud, that the Noise was plainly heard in the Council-Chamber, the door being shut."

Sept. 24th, 1715. The Governor comes to Town. Flagg [the messenger] warns [the Council to meet]. Governor sits *by the side of the Table facing to the South;* Lt. Governor [Tailer] in one of the South windows. The

It is a fair inference that this table reached from the east window towards the door, and if so it was in conformity to our New England custom, by which the minister or other presiding officer is so invariably placed in front of a window.

To this council-chamber the deputies were summoned, and committees of that body were here received. At such conferences the Governor was not allowed to take part, though on one occasion at least he remained in the room. There was a "closet," probably one of the anterooms opening from the chamber, to which the Governor could withdraw for private consultation;[9] and perhaps the other anteroom was needed for the accommodations of the twenty-eight councillors.

It seems that in this chamber the Overseers of Har-

Commissions were produced and Read, Oaths given. . . . At length the Governor dictated to the Clerk to this purpose. Whether the Government was devolved on the Lieutenant Governor, the Commission of Govr. Burgess nor any copy of it, not being arrived. It was, *nemine contradicente*, carried in the Negative." (Sewall, iii., 59.)

[9] "Feb. 12, 1717–18. I salute Cousin Quincy in Council. . . . The Governour calls me into the Closet and tells me he would make me Chief Judge." (Sewall, iii., 168.)

"Feb. 25, 1718–19. The judges meet p. m. in the Council Chamber, before the Meeting of the Council. . . . Then, in the Closet, voted it convenient to have two Clerks." (Sewall, iii., 213.)

"Dec. 19, 1722. His Excellency took me aside to the South-East window of the Council Chamber to speak to me. . . . Dec. 21. The Governor took me to the window again looking Eastward, next Mrs. Phillips', and spake to me again." (Sewall, iii., 315.)

vard College met at times, as did the Commissioners of the Society for propagating the Gospel among the Indians, March 27, 1729 (Sewall, iii., 395). Once, March 29, 1720 (Sewall, iii., 248), the "Inspectors of the Grammar Schools" of Boston met there. The chamber was also used as a consultation room for the judges.[10] Notwithstanding the order to construct a west room for the courts, it is very doubtful if this were really done. In 1717 Sewall speaks of a trial held in the old meeting-house opposite, while sentence was pronounced in the court chamber.[11] Was not this the chamber of the Great and General Court, that is, our House of Representatives? When the fire of 1747 took place, mention is made of the "Council Chamber, the Chamber of the House of Representatives and the Apartments thereof, in that Story." Another account speaks of "the Council Chamber" and "both the Lobbies," and also the "Offices kept in the Upper Story"; but it says "the County Records and Papers belonging to the Inferior Court being deposited in an

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[10] "Feb. 13, 1718-19. All the Judges desired to be at the Governor's house at 5 p.m. Met accordingly. . . . The Judges went to the Council Chamber, &c., &c."

[11] "May 9, 1717. Jeremy Phenix arraigned in the Court Chamber. 10. Try'd in the old Meeting-house. Mr. Auckmooty was Counsel for the Prisoner and had family with him in the Fore-seat of the Women, though he be bound over for notorious words against the Government." "May 11th. I pass'd Sentence upon Phenix, the Chief Justice being absent. This was done in the Court Chamber." (Sewall, iii., 130.)

Office upon the lower Floor, were most of them preserved."

There is proof that the Council Chamber was the scene of festivities on state occasions, such as the birthday of the sovereign or his accession, the arrival of a new governor, etc.[12] Here also were held public funerals, as in the case of Fitz-John Winthrop.[13] From the balcony, at the east end, it was customary to proclaim the laws, with sound of trumpets and

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[12] October 5, 1716, Gov. Shute arrived in Boston. "Ministers met the Governor a little before he got to the Town House. Col. Joseph Dudley nearer; and went up and sat with the Council. Col. Tailer met the Governor at the Stairs, and took place of Lt.-Gov. Dummer: and when Dummer was sworn, gave him the place. Gov. [Shute], Lt. Gov. [Dummer] laid their hands on the Bible, and Kissed it very industriously." (Sewall, iii., 105.)

The return of Gov. Shirley, Nov. 7, 1745, after the surrender of Louisburg, was here celebrated (S. G. Drake, Hist., p. 621), and so, also, on June 24, 1746, was the arrival of Gen. Pepperell and Admiral Warren. On the 18th Sept., 1749, the indemnity voted by Parliament arrived, amounting to £183,649. At that time a pound sterling equalled eleven pounds old tenor, or thirty shillings new tenor, so great had been the depreciation of paper money.

[13] "March 23, 1714–15. Mr. Addington [the late Secretary] buried from the Council Chamber; 'twas a sad spectacle." (Sewall, iii., 41.)

"Nov. 14th, 1717. Attended the Funeral of Major-General Winthrop. The Corpse was carried to the Town House the night before: now buried from the Council Chamber. Bearers, his Excellency the Governor [Shute], Gov. Dudley: Lt. Gov. Dummer, Col. Taylor: Col. Elisha Sewall, Samuel Sewall, Scarfs and Rings. The Regiment attended in Arms. Mr. John Winthrop led the Widow. 'Twas past five before we went. The Streets were crowded with people: was laid in Gov. Winthrop's Tomb in Old Burial Place." (Sewall, iii., 147.)

beat of drums;[14] and doubtless from so convenient an elevation, loyal addresses were delivered to the assembled townsmen on occasion.

As it happens, we know much less of the arrangement of the Representatives' Hall at this period, as our chief authority, Sewall, was a councillor and judge. We know that the number of deputies was one hundred and three in 1720, and as new towns were corporated, the number rose to about one hundred and twenty-five.

The speaker was annually chosen, and the choice submitted to the governor, who rarely negatived. In 1705, Thomas Oakes; in 1720, Elisha Cook; in 1739, Paul Dudley; in 1741, Samuel Watts; in 1766, James Otis, were respectively chosen and set aside. The House also elected a clerk, but the office was generally continued from year to year.

The forms of the House were probably copied from those of Parliament, the council figuring as our House of Lords. The will of the Governor was signified by messages or speeches; the wishes of the deputies by committees and by messages. Hutchinson says (ii., 259), apropos of a quarrel between Governor Dudley and the House about the

[14] "Feb. 4th, 1714–15. Drew up a Proclamation. . . . Publish'd it by Beat of Drum. Paper was sullied with the Rain. Mr. Hiller read it out of the Council-Chamber Gallery. Col. Checkley, Major Fitch, Capt Abijah Savage, &c., present." (Sewall, iii., 38.)

power of adjournment, "It has always been the practice of the House, before and since, upon a message from the Governor, to stop all business and go up without delay." It seems also that divisions of the House were made by going to the north and south sides.[15] We infer from this that the speaker sat at the west end, facing the main doors, and that the deputies were marshalled by him on either hand.

The town records contain but very little information in regard to the Town House from 1711 to 1747.

The following items are all that have been gleaned by an examination of the indices to the volumes.

Sept. 25, 1716, the selectmen, learning that a sale of a ship had been appointed by the Court of Admiralty "at the place where the Court is held," voted that "the management of a Publick sale in the Town House is forreign from the declared Intentions in Erecting thereof, and that such a President may be of Ill Tendency."

April 27, 1719, "Mr. John Flagg is directed to cleanse the Windows of the Town House."

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[15] "June 13th, 1717. Council declared that Cambridge is the Shire-town for Middlesex." "14. The Deputies Concur. Could not tell by lifting up the Hands, were fain to divide the House. They for Cambridge went to the North side, they for Charlestown to the South. Cambridge had 46, Charlestown 41, as Brother Northend, one of the Monitors, informed me." (Sewall, iii., 132.)

1717–1718. Benjamin Bagnald agrees to make a Town Clock "and if desired he will make the same to go as an eight day Clock in the place where it now stands." April 25, 1735. Bagnald is to take care of the Town clock at the Old Meeting House, for one year, for £10.

Feb. 13, 1733–4. The selectmen voted "that tomorrow at three of the clock the select men meet at the Town House to view the small arms lodged in the Town's Armoury, and that Mr. Treat, gunsmith, be ordered to attend and assist at the view." Accordingly, Messrs. Treat and Miller, gunsmiths, "were directed to proceed with all the expedition possible to the cleaning the arms, and putting them in order for us, when occasion shall require."

Feb. 25, 1733–4. "Voted that speedy care be taken to fit up a proper office for the Town Clerk, for reposing and securing his books, and that it be in part of the Green Chamber."

July 13, 1736, the selectmen voted "to repair the balcony at the east end of the Town House, fronting King st."

Aug. 27, 1736, voted also "to order the new painting the sun Dials on the Town House, and to clear the gutters and water-spouts belonging to it."

June 14, 1738. They voted "to put a good and substantial post at each corner of the westerly end of the Town House to prevent damage by carts."

July 20, 1738, "to take care that the easterly stairs of the Town House be repaired."

Oct. 31, 1739. They leased for one year, for £30, to Joseph Savell, wine cooper, two cellars under the Town House lately occupied by Jonathan Williams and James Townsend: viz., one at the south-west corner and the other at the north-east corner. In 1741 these were let respectively to Samuel Wentworth and John Gooch. Dec. 24, 1740, John Buttolph leased a cellar there, formerly occupied by his father, for £22.

Aug. 3, 1743, "the east end of the Town House to be put in repairs and other necessary repairs within side."

Sept. 5, 1744, "voted to repair the chimneys in the Town House."

In this chamber, from 1711 to 1747, presided as Governor, Joseph Dudley, *William Tailer*,[16] Samuel Shute, *William Dummer*, Jonathan Belcher and William Shirley, all upright and worthy men, but all of them so hampered by restrictions from the home government, as to be frequently involved in disputes with the representatives of the people. During this period the population increased steadily from eleven thousand in 1715 to seventeen thousand in 1744, though after the last date it remained stationary or slightly decreased.

[16] Tailer and Dummer were Lieutenant Governors, acting in the place of the Governors.

It was in this chamber that there was planned, in 1746, the military enterprise which was the proudest boast of our provincial history. In January of that year Gov. Shirley laid before the Legislature, under a pledge of secrecy, his project of capturing Louisburg from the French, by means of provincial troops only. On January 25 the consent of the House was carried by a single vote. William Pepperell, a member of the Council, was given command, and by April 1 our troops had arrived at Canso. The fortunate arrival of Admiral Warren, with a considerable fleet, was one of the many lucky accidents which turned this quixotic scheme into a glorious success. On June 17 the fortress surrendered, and the "Gibraltar of America" became our prize.

It was a splendid victory, for it gave assurance to England that a new military power had arisen in her colonies, and one thus far entirely loyal to the crown. As Palfrey says, "As things turned out, it is not too much to say that the capture of Louisburg gave peace to Europe."

It was not until the following year that Pepperell was able to receive the deserved honors which his countrymen were ready to shower upon him.

The *Boston Evening Post*, for Monday, June 30, 1746, describes the arrival, on the preceding

Tuesday, of his Majesty's Ship "Chester," of 50 guns, bringing Admiral Peter Warren and Sir William Pepperell. The Governor met them at Castle William, and, landing at Long wharf about five o'clock, "they were received and congratulated by the Honourable Gentlemen of his Majesty's Council and House of Representatives, and being attended by his Excellency's Company of Cadets under arms, made a handsome procession to the Council Chamber."

Then the Speaker and the House proceeded to the Council Chamber, where a brief address was made to Warren and Pepperell, who as briefly replied. Later a committee of the House was appointed to congratulate Brigadier General Samuel Waldo, "on his safe return to his native country."

It was from the veterans of the French wars of this period that the heroes of the war of Independence were drawn. But for the martial spirit aroused by these campaigns, and the lessons of military science therein taught, our forefathers would have been but an undisciplined mob in 1775. To give one example: Col. Richard Gridley, who commanded the artillery at Louisburg, thirty years later, traced and constructed the battery on Bunker's Hill.

In November, 1747, the Town House was the centre of another uprising. Commodore Knowles

was in command of a fleet lying off the harbor. Having lost some deserters, he sent a press-gang into the harbor, seizing sailors from the ships, and even landsmen from the wharves. There was at once an outburst of popular indignation, in which all ranks joined. "As soon as it was dusk, several thousand people assembled in King street, below the Town House, where the General Court was sitting. Stones and brick batts were thrown through the glass into the Council Chamber. The Governor [Shirley], however, with several gentlemen of the Council and House, ventured into the balcony" (Hutchinson, ii., 432), and after silence was obtained addressed the assemblage. He promised to try to obtain the release of the townsmen; but the crowd was not to be thus pacified. For three days the contest continued, the people having seized some of the officers from the fleet as hostages, and the commodore threatening to bombard the town by way of reprisal. Finally the Legislature interposed with promises to both sides; the impressed men were liberated and the squadron sailed, to the great relief of all in authority.

On Wednesday, December 9, 1747, the Town House was greatly injured by a fire. The following extract from the newspapers will explain the extent of the loss: —

"Yesterday morning between 6 & 7 o'clock we were exceedingly surprised by a most terrible Fire, which broke out at the Court

House in this Town, whereby that spacious and beautiful Building except the bare outward Walls, was entirely destroyed. As the Fire began in the middle or second Story, the Records, Books, Papers, Furniture, Pictures of the Kings and Queens, &c., which were in the Council Chamber, the Chamber of the House of Representatives and the Apartments thereof, in that Story, were consumed; as were also the Books and Papers in the Offices of the upper Story: Those in the Offices below were mostly saved. In the Cellars which were hired by several persons, a great quantity of Wines and other Liquors were lost. The publick Damage sustain'd by this sad Disaster is inexpressibly great and the Loss to some particular Persons, 'tis said will amount to several Thousand Pounds. The Vehemence of the Flames occasion'd such a great Heat as to set the Roofs of some of the opposite houses on Fire notwithstanding they had been covered with Snow, and it was extinguished with much Difficulty. How the Fire was occasion'd, whether by Defects in the Chimney or Hearth as some think, is uncertain." —*Boston Weekly News Letter*, *Thursday*, *December* 10, 1747.

The account in the *Boston Evening Post*,* for the fourteenth of December, adds: —

"The fine Pictures and other Furniture in the Council Chamber were destroyed as were also the Books, Papers and Records in both the Lobbies, and those in the Offices kept in the upper Story; but the County Records and Papers belonging to the Inferiour Court, being deposited in an Office upon the lower Floor, were most of them preserved."

The same paper prints the following extracts from the *Journal of the House of Representatives*: —

* The account in the *Gazette* is in Appendix J.

"12 *December*, *A.D.* 1747.

"Upon a motion made and seconded,

"*Resolved*, that the House now make particular Enquiry how the late Fire in the Court House was first discovered, and by what Means it was occasioned. After examining the Door-keeper and receiving a particular account of the Time and Circumstances of his leaving the House the Evening before, and enquiring of those Gentlemen who early discovered the Fire.

"*Resolved*, That it appears to the Satisfaction of this House, that the late Fire which consumed the Court House, proceeded from the Wood-work under the Hearth taking Fire, and that the Fire first broke out in the Entry-way between the Council Chamber and the Representatives Room, and from thence went up the Stair Case, and through the Roof, and continued until the House was consumed."

The following letter of Secretary Willard to Christopher Kilby and William Bollan, agents of the province in London, is copied from vol. 1 of the "Records of Plymouth County," giving the "Acts of Commissioners of the United Colonies of New England," edited by David Pulsifer: —

"Boston, Dec'r 21, 1747.

"Gentlemen I am now to give you the sorrowful News of the grievous & surprizing Rebuke of Divine Providence on the Governm'nt of this Province in the Destruction of the Court House by Fire which happened in the Morning of the ninth Instant. It was generally concluded to have begun in the Floor under the chimneys of the Council Chamber & House of Represent'ves & was not discover'd till it was greatly increased; All the Books of the General Court, Govern'r & Council & House of Reprent'ves there in

the House were wholly lost without saving one & all the Books of Commiss'ns and other Instrum'ts as well from the Crown as the Governm't of the Province with most of ye original Papers are likewise consumed."

The General Court was offered the use of Faneuil Hall, but was accommodated for the few days remaining in the session at the Royal Exchange tavern, kept by Luke Vardy, on the west corner of our present Exchange and State streets.[17]

It seems that, as in 1711, the expense of the repairs was paid, one-half by the Province, one-quarter each by the town of Boston, and the county of Suffolk. The expense was £3,705 11*s*. 4*d*. lawful money. Whatever plans were made for this restoration, it would seem that the exterior walls at least were not touched. (See Appendix C.)

Fortunately, as in Neal's case, in 1720, we have a description of the new building from one who saw it in its freshness. Capt. Francis Goelet (whose

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[17] The rather churlish vote of the Selectmen, as given below, may explain the disinclination of the Governor to accept the offer: —

Dec. 16, 1747. Voted "that liberty be and hereby is granted to his Excellency the Governour and the Honorable his Majesty's Council to improve the Chamber in Faneuil Hall, the Selectmen usually set in to do business, when they shall have occasion therefor until they can be better provided: and that the Honorable Josiah Willard, Esq^re^. Secretary be allowed to make use of the Office under the stairs in Faneuil Hall which hath been inproved for the Naval Officer, until better provided, he paying the same rent Mr. Overing agreed for, to commence the 12^th^. instant."

journal is printed in the N.E. Historical and Genealogical Register for 1870, p. 72) thus describes it in the autumn of 1750: —

"They have also a Town House, built of Brick, situated in King's street. It's a very Grand Brick Building, Arch'd all Round, and Two Storie Heigh, Sash'd above; its Lower Part is always Open, design'd as a Change, tho' the Merchants in Fair Weather make their Change in the open Street at the Eastermost End. In the upper Story are the Council and Assembly Chambers &c. It has a neat Capulo, sash'd all round, and which on rejoycing days is Elluminated."[18]

Capt. Goelet mentions that on October 30th, His Majesty's Birth-day, he "went at noon with Capt. Wendell to the Councill Chamber in the Towne House, where [he] drank the Loyall Toasts with the Lieutenant Governor, Councill," etc.

By the records of the House it appears that Dec. 12, 1752, there was paid £6 13s. 4d. to Moses Deshon "for the arms of the Colony which he has carved, and put up in the House of Representatives."

By the bill of the painter in 1773, it seems that the Colony arms still remained, while the King's arms, also then paid for, were probably in the Council Chamber. The historic Codfish was also

[18] Jany 17, 1749–50 "voted that the Engine under the care of Mr Thomas Reed be removed to the cellar under the Town House as soon as may be, and that Mr Cooke be desired to get a Platform laid, and what else may be necessary to be done for the same." — *Selectmen's Records.*

mentioned, and various pictures, of which the only one named is that of Gov. Burnet.

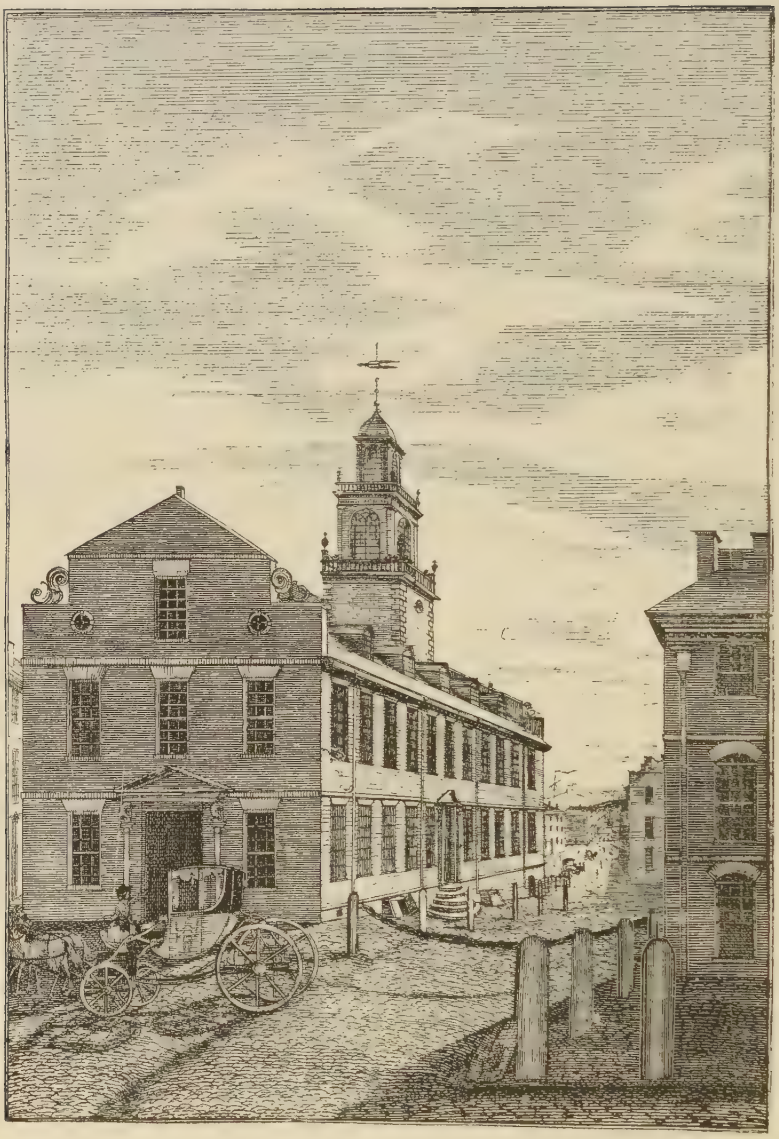
Very strangely, it appears by the "Boston Post Boy" of June 16th, 1766, that a gallery was put in the Representatives' Hall, though it is hard to imagine where space was found for it.[19] Chandeliers, of course, hung in each hall, and the desk of the Clerk or Speaker of the House is still preserved by the Massachusetts Historical Society.[20]

When the work of the restoration was commenced last year, it was found that the framing of the timbers was such that there must have been a circular stairway in the place now occupied by it, from the first floor to the halls, and that the landings must have presented their present form.

The same investigation showed that the Representatives' Hall had its easterly end curved, while the Council Chamber was square. These indications coincide with a description published in 1791, when the halls were occupied by the Legislature of the

[19] Hutchinson says (iii. 166), under date of 1767, that the House "had caused a gallery to be built and opened, that all persons inclined to it, might hear their debates; and a speech, well adapted to the gallery, was oftentimes of more service to the cause of liberty than if its purposes had been confined to the members of the house."

[20] Although described as the Speaker's desk, it seems almost impossible that it could have been so used. The balusters in the new stairway are copied from those in Gov. Shirley's house, still standing in Roxbury. As he was the governor at the date of the rebuilding, in 1747, no better exemplars could be desired.



Old State House in 1791. (From the Massachusetts Magazine.)

State, and when, apparently, no changes had been made. The *Massachusetts Magazine* for August, 1791, gives a south-west view of the building, *i.e.*, one taken from the Washington-street end, and the following description is added:—

"The State House is an elegant brick building, standing at the head of State Street, one mile and 297 yards from the fortification. It is 110 feet in length and thirty-eight in breadth. The foundations of the present walls were laid A.D. 1712, the former State House having been reduced to ashes in the great fire of the preceding year. The internal part of this building again experienced the desolating flame in 1747, when a vast number of ancient books and early records, together with a collection of valuable papers, were destroyed, and to the ravages of this calamity we may attribute the imperfect accounts that are to be obtained of the first and second building. The ascent to the lower floor, as fronting the Long wharf, is by an elevated flight of large stone steps, railed round with neat iron balustrades. There are three other entrances: one at the opposite end, facing to Cornhill, and the other two in the opposite centres of the length. The Clerks of the Supreme Judicial Court and Court of Common Pleas hold their offices upon the first floor, which also serves in bad weather as an exchange for the mercantile part of the community. A range of Doric pillars support the floors of the second story, which is destined for the accommodation of the General Legislature. The Senate Chamber is thirty-two feet square and fifteen feet in height, furnished with a convenient lobby for committees to transact business in. The Representatives' Chamber is fifty-seven and a half feet in length,[21] thirty-two in breadth, and the same

[21] This figure, fifty-seven and one half feet, is an impossibility, being more than one-half the length of the building. But thirty-seven and one-half

height as the former, with a well-constructed lobby. The third or upper story is improved by different committees during the session, and has an East, West and South lobby; beside several apartments for publick papers and records. On the centre of the roof is a tower, consisting of three stories, finished according to the Tuscan, Dorick and Ionick orders complete, and from thence is a fine prospect of the Harbor and adjacent Country."

The painter's bill[22] of 1773 also mentions the Lion and the Unicorn which crowned the east end of the exterior, the carved corner-pieces on the west front, the balcony and pediment in front at the main window of the Council Chamber, and the steps, which, for a time, reached from the first floor down State street.[23]

These features have all been reproduced in the restored building. It was, indeed, a question whether or not to restore the royal arms upon the east end, but a feature so distinctive, architecturally, could not be well omitted. Happily, no one will to-day misunderstand the feeling with which we replace this me-

feet would reach exactly to the line of the curved end of the hall as shown on Rogers' plans and now reconstructed. Evidently the writer put his notes of the measurements in figures, and either he or his printer mistook thirty-seven and one-half for fifty-seven and one-half. The error really confirms the exactness of the record.

[22] This document is printed in Appendix K.

[23] These steps are in the picture painted in 1801, owned by the Historical Society, but were removed before the view in 1821 was taken. They are in the view of 1785 also, and are mentioned in 1791.

mento of our colonial days, — a recognition merely of the facts of history, neither forgetful of the protection which the mother country once extended, nor boastful of the change which has given us a national coat-of-arms, a national flag, and a supreme government, at least equal to those which we renounced a century ago.[24]

It is certain that prior to the fire in 1747, the town had ceased to regard the Town House as its particular pride. In 1740 Peter Faneuil had offered to the town a building for a market and a Town Hall, and though it was accepted only by a vote of 367 against 360, the work was accomplished. On the 13th September, 1742, the first town-meeting was held there, and Faneuil Hall was solemnly so entitled. (S. G. Drake, Hist. Boston, p. 611.) On October 6, 1742, "in conformity with a vote of the Town for removing the Town's Books and papers to Faneuil Hall, voted that the Town Clerk move said Books and papers belonging to the Town, forthwith, and that Mr. Savell provide Coal for the selectmen at their meeting there on Wednesday next."

The first meeting of the selectmen there was on October 13, 1742. From this time therefore Faneuil

[24] In delivering this address the words "royal arms" were used, and are therefore retained. Evidence will be found in Appendix D to justify the opinion that the Lion and Unicorn were the supporters to the Province coat-of-arms, and that they figured here in that capacity.

Hall became the Town Hall, and the building on State street became more especially the place for the Legislature and Courts.

One other vote of the selectmen at this time may be reproduced as showing the dissatisfaction of the town: "May 16, 1744. In consideration of the difficult circumstances of the Province, especially of the Town of Boston, and the little advantage in cleaning the glass at the Town House, voted that that expense and charge be saved for the present year."

A brief account of Faneuil Hall and its vicissitudes will be found in Appendix E.

Having thus considered the history of the walls of this building, let us review the scenes which took place therein. During the administration of Shirley (1741–1757), and of Pownall (1757–1760), the colony was undoubtedly loyal. The great expenditures made by England to carry out the favorite wish of the colonists, by the overthrow of the French power in America, had not only pleased but enriched the sea-board colonies. Many of our citizens served with credit in the various armies which attacked Canada; many others had served in the navy or the transport service, and Boston especially had become accustomed to the presence of English troops and

Crown officials. Shirley had identified himself with the colony, had built a house here and reared a family amid Bostonian surroundings. His ardor in military affairs led him to be less strenuous in smaller civil matters, and he had acquiesced in such encroachments by the Legislature as restrained the power of the Crown or the influence of the Governor.

Pownall's short rule of three years was noteworthy mainly for its military record.[25]

In August, 1760, Francis Bernard arrived here to succeed Pownall, and, five months later, news was received of the accession of George III. With the new King and the new Governor begins the closing chapter of our colonial history. This is not the time to attempt to describe the causes which led to the Revolution, except in so far as any important events took place in this building. Here, under this roof, indeed, were encamped the hostile forces of the civil government. In this room the Royal Governor

[25] John Adams says (Works, x., 241–4), "Pownall was a Whig, a friend of liberty, a lover of his country, and he considered North America a part of his country as much as England, Scotland, or Ireland." — "Pownall, when he came into administration, thought there ought to be a good understanding between the capital and country, and a harmony between both and the government. This conciliatory and comprehensive system was too refined and too sublime for human nature in this contentious, warring world." — "Pownall was the most constitutional and national Governor, in my opinion, who ever represented the crown in this province. He engaged in no intrigues, he favored no conspiracies against the liberties of America."

and his generally subservient Council could listen to the applause which greeted the impassioned eloquence of the popular leaders of the Representatives in the adjoining hall, as they gradually developed the ideas of "No representation, no taxation," and "No representation, no legislation," as Hutchinson scornfully termed them. (Hist., iii., 164.) How often must these lobbies and entries have been thronged by the citizens of Boston, anxious to catch the latest intelligence of royal obstinacy or of popular indignation! In those days the press was so circumscribed in its province, that the news was only to be obtained by contact with the actors; and here was the centre of all that absorbed the attention of the community. The town-meetings were held at Faneuil Hall,[26] and when more room was needed, they adjourned to the Old South Church. Yet, powerful as was the influence of Boston, the citizens could only issue instructions to their representatives in the august body, which, in these halls, spoke in the name of the entire colony. It will be necessary to give a few instances of the occurrences in these apartments, from the evidence of the actors therein.

[26] It is often forgotten that Faneuil Hall prior to A.D. 1808 was much smaller than it now is. The addition of another story and an extension on the north side added greatly to the space. Of course these changes have not destroyed the identity of the building, but they are much greater than those made in these Memorial Halls, where only one wall has been replaced in each room and in the same position. (Consult, on this point, Appendix E.)

On Wednesday, December 16, 1761, there was a military funeral held here, fully described in the journals. It was in honor of Major-General Edward Whitmore,* Governor of Louisburg, who was drowned in Plymouth harbor on the preceding Friday. The procession marched from the Town House to the King's Chapel, escorted by the troop of Horse-Guards and the company of Cadets. The Governor and Lieutenant-Governor, the Council, Judges, Justices, and Ministers followed the corpse, and "Minute Guns were fired to the amount of 70, being the Number of Years of the General's Age." Edward Whitmore, Charles Lawrence, and James Wolfe were the brigadiers under Amherst at the capture of Louisburg, in 1758. Wolfe's division had the largest share of the fighting, but after the surrender Whitmore was left as Governor of the Fort. As such he had been in constant official communication with Boston for over two years, and at that date was doubtless better known here than the future hero of the capture of Quebec.

* This General Edward Whitmore was Lieutenant-Colonel of 36th Foot in 1747, and Colonel of 22d Foot, 11th of July, 1757, in which post he was succeeded by Thomas Gage, afterwards our Governor. He left several children, the oldest being Edward Whitmore, who was Captain of Royal Artillery, 10th of September, 1759, and died in 1804. I do not find any relationship between him and Lieutenant-General William Whitmore, 1760, Colonel of 9th Foot, 1758–1771, whose family was of note in Shropshire.

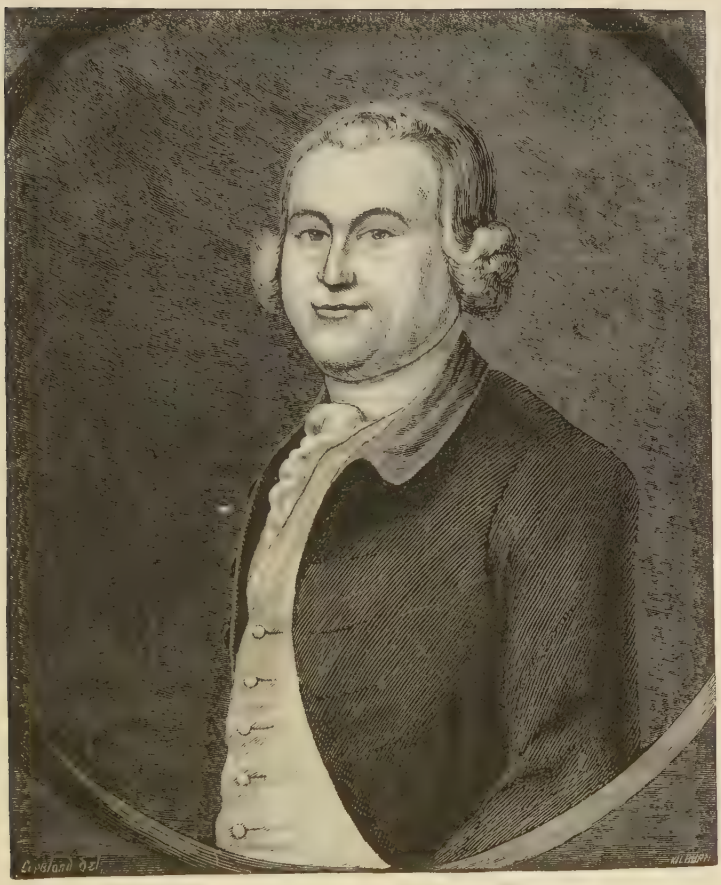
In 1761, soon after Bernard's arrival, James Otis, Jr., aroused the public by his famous plea against the Writs of Assistance. John Adams has admirably described the scene in this hall, in a letter written to a friend in 1817. (Life and Works, Vol. X., pp. 245–248.)

"The scene is the Council chamber in the old Town House in Boston. The date is in the month of February, 1761, nine years before you entered my office in Cole lane. As this was five years before you entered college, you must have been in the second form of Master Lovell's school.

"That Council chamber was as respectable an apartment as the House of Commons or the House of Lords in Great Britain, in proportion, or that in the State House in Philadelphia, in which the Declaration of Independence was signed in 1776. In this chamber, round a great fire, were seated five judges, with Lieutenant-Governor Hutchinson at their head as Chief Justice, all arrayed in their new, fresh, rich robes of scarlet English broadcloth; in their large cambric bands and immense judicial wigs.

"In this chamber were seated at a long table all the barristers-at-law of Boston and of the neighboring county of Middlesex, in gowns, bands, and tie wigs. They were not seated on ivory chairs, but their dress was more solemn and more pompous than that of the Roman Senate, when the Gauls broke in upon them.

"In the corner of the room must be placed as a spectator and an auditor, wit, sense, imagination, genius, pathos, reason, prudence, eloquence, learning and immense reading, hanging by the shoulders on two crutches, covered with a great cloth coat, in the person of Mr. Pratt, who had been solicited on both sides, but would engage on neither, being, as Chief Justice of New York, about to leave Boston forever. Two portraits,



James Otis

at more than full length, of King Charles the Second and of King James the Second, in splendid golden frames, were hung up on the most conspicuous sides of the apartment. If my young eyes or old memory have not deceived me, these were as fine pictures as I ever saw; the colors of the royal ermines and long, flowing robes were the most glowing, the figures the most noble and graceful, the features the most distinct and characteristic, far superior to those of the king and queen of France in the Senate chamber of Congress — these were worthy of the pencils of Rubens and Vandyke. There was no painter in England capable of them at that time. They had been sent over without frames in Governor Pownall's time, but he was no admirer of Charles or James. The pictures were stowed away in a garret, among rubbish, until Governor Bernard came, who had them cleaned, superbly framed, and placed in council for the admiration and imitation of all men — no doubt with the advice and concurrence of Hutchinson and all his nebula of stars and satellites.

"One circumstance more. Samuel Quincy and John Adams had been admitted barristers at that term. John was the youngest; he should be painted looking like a short, thick archbishop of Canterbury, seated at the table with a pen in his hand, lost in admiration, now and then minuting those poor notes which your pupil, Judge Minot, has printed in his history, with some interpolations."

He then proceeds to describe the characters in the drama, and thus depicts the chief: —

"But Otis was a flame of fire. With a promptitude of classical allusions, a depth of research, a rapid summary of historical events and dates, a profusion of legal authorities, a prophetic glance of his eye into futurity, and a torrent of impetuous eloquence, he hurried away everything before him. American

independence was then and there born; the seeds of patriots and heroes were then and there sown, to defend the vigorous youth, the *non sine Diis animosus infans*. Every man of a crowded audience appeared to me to go away, as I did, ready to take arms against writs of assistance. Then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there the child Independence was born."

The immediate result was a modification of the form of the writs; but the greater consequence was the prominence of Otis, and the attention called to the oppressive character of the English revenue laws when applied to this country.

A lull succeeded in the political atmosphere for the next two years, and the news of the peace with France, received here in May, 1763, was joyfully welcomed. Soon, however, the clouds gathered, indicative of the coming storm. The vast expense of the war rendered new taxes inevitable; unfortunately, the consideration of the renewal of a tax which had just expired, — one on the importation of molasses into the colonies, — led the Grenville ministry to determine "to raise by a stamp duty, or in some other way, a sum from America, sufficient to ease government in part from the future charges which might be necessary there." (Hutchinson, iii., 109.)

In April, 1765, news was received of the passage of the act, and popular opposition was at once

excited. On the birthday of the Prince of Wales, August 12, it was concerted to hang the appointed distributor of stamps in effigy. This was done two days later, the image being suspended from the Liberty Tree, which stood on the corner of Essex and Washington streets. The Council was hastily assembled, but prudently advised that nothing be done, hoping that the matter would end there.

"Before night the image was taken down, and carried through the Town House, in the chamber whereof the Governor and Council were sitting. Forty or fifty tradesmen, decently dressed, preceded; and some thousands of the mob followed down King street to Oliver's dock, near which Mr. Oliver had lately erected a building, which, it was conjectured, he designed for a stamp office. This was laid flat to the ground in a few minutes. From thence the mob proceeded for Fort Hill, but Mr. Oliver's house being in the way, they endeavored to force themselves into it, and being opposed, broke the windows, beat down the doors, entered, and destroyed part of his furniture, and continued in riot until midnight before they separated." (Hutchinson, iii., 121.)

On the evening of August 26 a mob collected in King street, "drawn there by a bonfire, and well supplied with strong drink." They plundered the cellars of the comptroller of customs, and then marched to the house of Thomas Hutchinson, in Garden court, near Fleet street, where, all night long, undisturbed by the frightened neighborhood, the work of destruction went on. These inexcusable outrages were promptly disavowed in town-meeting, and most

probably were the work of those turbulent and lawless men who always appear whenever authority is suspended, to dishonor and injure the cause they nominally support.

When the Legislature met, on October 24, 1765, Boston was represented by a new member, — Samuel Adams, — then first the recipient of high office, but already a leader among the advocates of independence. Otis was in New York, attending a convention of delegates from the various colonies, which had been convoked by royal authority. The difference in the political views of these leaders was marked, though it did not prevent their unison in many points. Otis believed that Parliament was supreme, but that the Colonies were entitled to representation therein. Adams "professed principles, which he owned without reserve in private discourse, to be independency; and, from time to time, he made advances towards it in publick, as far as would serve the great purpose of attaining to it. To his influence may be attributed the great advance made in this session." (Hutchinson, iii., 134.) On the 29th of October, in the adjoining hall, the House passed the famous Resolves, prepared by Samuel Adams, one of which declares, "That all acts made by any power whatever, other than the General Assembly of this Province, imposing taxes on the inhabitants, are infringements of our inherent and unalienable rights

as men and British subjects, and render void the most valuable declarations of our charter."

To be sure, this was coupled with a declaration of loyalty to the Crown and to Parliament; but the first resolve contained a political truth, and the last a politic profession.

On May 16, 1766, the news of the repeal of the Stamp Act was received here, and caused universal rejoicing. In September the Rockingham-Shelburne ministry came into power, and was believed to be friendly to the Colonies. The Governor here had several disputes with the Legislature, the Council displayed unusual independence, and the influence of Adams, now promoted to the office of Clerk of the House,[27] was steadily on the increase. The same state of affairs characterized the whole of the following year, 1767, until, in the autumn, news was received of the passage of an act levying "small duties on paper, glass, and painters' colors, imported into America; to take off 12d., which had been charged in England on every pound of tea exported, and to lay 3d. only, payable upon its importation into America." (Hutchinson, iii., 179.) Commissioners were appointed to enforce the customs' laws, and an

[27] "The office having some emolument, it had generally been filled by one of the members, who took the same share in debating and voting as if he had not been clerk, and rather acquired than lost influence by being so." (Hutchinson, iii., 148.)

act was passed legalizing the writs of assistance, under which search was made for smuggled goods.

In February, 1768, the House passed a bill ordering letters to be written to the other colonies, "with respect to the importance of joining with them in petitioning His Majesty at this time." This was Adams' measure, — a potent weapon in the coming conflict. Another resolve was, "that this House will, by all prudent means, endeavor to discountenance the use of foreign superfluities, and to encourage the manufactures of this Province."

The English government demanded the rescinding the vote authorizing the Circular Letter, but the House, by a vote of 92 to 17, refused obedience. "The galleries were cleared, and all communication with the other Board or from the outside, was shut off during the debate." (Life of S. Adams, i., iii.) Even a committee of the Council, with certain resolutions of that branch, was refused admittance.

The House was prorogued the same day, and dissolved the next day, but not till it had passed an address to the king, asking for the removal of Governor Bernard.

An ill-advised measure at this time added to the popular discontent. Owing to Bernard's representations, it had been decided that one or two regiments should be sent from Halifax to Boston. On hearing of the riots here, the government in England ordered

two more regiments from Ireland. The news of the first order was received in Boston about the beginning of September, 1768, and, as the Legislature was not expected to meet for a year, the town-meeting of Boston took action. On learning from the Governor that the troops were soon to arrive, — one regiment for the Castle and two for the town, — the meeting voted to hold a convention on September 22, of delegates from all the other towns, "in order that such measures may be concerted and advised, as His Majesty's service and the peace and safety of his subjects in the province may require." As Hutchinson says (Hist., iii., 205), "It must be allowed by all, that the proceedings of this meeting had a greater tendency towards a revolution in government than any preceding measures in any of the colonies. The inhabitants of one town alone took upon them to convene an assembly from all the towns, that, in everything but in name, would be a House of Representatives." A most just comment; and let us to-day be proud of the fact that the town thus assuming the lead was Boston. Although the result of the meeting, which was duly held at Faneuil Hall, was not as tangible as was hoped, it showed the colonists how to proceed towards a rebellion whilst preserving the forms of law. The convention adjourned September 29, the day after the fleet and soldiers reached Nantasket. The troops, amounting

to one thousand men, under Lieutenant-Colonel Dalrymple, landed without opposition. One regiment pitched their tents on the Common; the others were marched to Faneuil Hall, and, after some dispute, were sheltered there for one night. "The next day, Gov. Bernard ordered the doors of the Town House to be opened, except that of the Council Chamber; and such part were lodged there as Faneuil Hall rooms would not accommodate. The Representatives' room was filled, in common with the rest." (Hutchinson, iii., 212.)

Gen. Gage was summoned from New York, and the Council attempted to find a way to satisfy both sides. The result was that houses were hired for the troops, but in the immediate vicinity of the Town House. The quartering of troops at this spot was felt keenly by the province. The next town-meeting demanded of Gen. Mackay, then in command, the removal of the troops on election day. He replied that he could not do this, but would confine them to their barracks. When the Legislature met, in May, 1769, its first work, after organizing, was to resolve that, "an armanent by sea and land investing the metropolis, and a military guard, with cannon pointed at that very door of the State House, where this Assembly is held, is inconsistent with that dignity, as well as that freedom, with which we have a right to deliberate, consult, and determine." They added

that they expected the Governor to order the removal of these forces during the session of the Assembly. As they refused to transact business while the troops remained, and as the Governor would not consent, he adjourned the Legislature to Cambridge. Finally, two regiments were sent back to Halifax, the 14th and 29th remaining here.

Another deeply exciting trial at this time intensified the popular indignation.

April 22, 1769, a press-gang from the "Rose" frigate, under Lieut. Panton, boarded a ship owned by Mr. Hooper, of Marblehead, on her return from Bilboa. Michael Corbet and three others resisted, and the officer, Panton, was shot. Hence a trial in July, by a special Court of Admiralty, of these four sailors on a charge of piracy and murder. John Adams (Works, X., 205–207) says, that at the opening of the trial, on the presentation of the prisoners' pleas, Hutchinson moved "that the Court should adjourn to the Council Chamber." "The prisoners were remanded; parties, witnesses, counsel, audience, dismissed; and the Court adjourned to the Council Chamber, where they remained in secret conclave till late in the evening."

"The Court met again early next morning, in secret conclave in the Council Chamber." The plea of the defence was, that the act was justifiable homicide, and this was the decision of the Court.

Adams adds, "One circumstance is too characteristic to be omitted. The counsel for the prisoners, descending from the chamber where the Court sat, to the lower floor of the Court House, was met at the bottom of the stairs by the boatswain of the 'Rose.' 'Sir,' said he, 'we are all greatly obliged to you for your noble conduct in defence of these brave fellows; yet, sir, this is the employment in which I have been almost constantly engaged for twenty years, fighting with honest men to deprive them of their liberty. I always thought I ought to be hanged for it, and now I know it."

Bernard was recalled, and sailed on July 31, 1769, amid demonstrations of popular joy. By his departure the duties devolved upon Thomas Hutchinson, the lieutenant-governor, a native of Boston, a man of fortune and eminent abilities, but already distasteful to his fellow-citizens as the ablest defender of the royalist views in the colony. He came to the command in times which were daily becoming more turbulent, and, having persistently taken the part of the Crown, he has justly forfeited all claims to the respect of the descendants of the rebels.

During the autumn of 1769 the bitter feeling between the colonists and the loyalists rapidly increased. James Otis was dangerously wounded in an affray with a Crown officer in the British

Coffee House, which stood on State street, at the present No. 66. It is probable that the violence he then received completed the overthrow of his intellect, and, thenceforward, he ceased to lead in public affairs. On the 22d of February, 1770, a local riot led to the shooting, by one Richardson, of a boy named Christopher Snyder, the first victim to the evil passions excited by the state of affairs.

The merchants of the town had been nearly unanimous in giving effect to the popular wish to prevent the importation of English goods, although the taxes had been taken off of all imports except tea. Early in 1770, however, a new turn was given to popular thought, by what is known as the State-street Massacre. From these windows we overlook the scene of this famous event, but it has been too often described to need more than the briefest reference. A fight between the soldiers and the workmen at Gray's ropewalk, on March 2, 1770, had raised a resentment in the minds of the troops, which led to fatal results. On Monday evening, March 5th, the soldiers began to show signs of insubordination. In and around their barracks, in Dock square, they assailed the passers-by with threats and blows. The boys of the town rang the bell in the First Church, and the citizens began to throng towards the Town House. A large

crowd gathered in Dock square, for, in those days, a few minutes' walk would bring every householder to the centre of the town. Here a leader, presumably William Molineaux, advised the people to disperse — a counsel followed by part, while others started for State street. The Custom House stood at the corner of State and Exchange streets, and there a sentinel was posted. A crowd of boys assaulted him with snowballs, until a messenger was sent hastily to the guard-house near by. Some seven or eight men, under Capt. Preston, at once rushed to the relief of the guard, loaded quickly, and stood at bay. The mob pressed upon them, striking their muskets, and otherwise insulting them, being evidently of the belief that the soldiers would not fire. The order was given to present arms, and then to fire, though it was never discovered who gave the fatal word. A rambling fire by the guard, at these close quarters, killed three persons and wounded eight others.

At once the partisans of each side rushed to the spot. The soldiers were drawn up in order of battle, but remained under the control of their officers. The bells of the churches aroused the alarmed inhabitants, who thronged the street to gaze upon the blood-stained snow, which testified to the awful tragedy. A few hastened to summon Gov. Hutchinson, who, "to satisfy the people, called

STATE-STREET MASSACRE.

for Captain Preston, and inquired why he fired upon the inhabitants without the direction of a civil magistrate. The noise was so great that his answer could not be understood, and some, who were apprehensive of the lieutenant-governor's danger from the general confusion, called out, 'The Town House! the Town House!' and, with irresistible violence, he was forced up by the crowd into the Council Chamber. There, demand was immediately made of him to order the troops to withdraw from the Town House to their barracks. He refused to comply, and, calling from the balcony, to the great body of people which remained in the street, he expressed his great concern at the unhappy event, assured them he would do everything in his power in order to a full and impartial inquiry, that the law might have its course, and advised them to go peaceably to their several homes. Upon this there was a cry, 'Home! home!' and a great part separated and went home."—(Hutchinson, iii., 273.)

Captain Preston and the soldiers implicated surrendered themselves before morning, and were committed to prison. This was not sufficient to satisfy the people; and a town-meeting was held in Faneuil Hall. The selectmen had already waited upon Hutchinson, in this chamber, to demand the removal of the troops from the town. He repeated that he

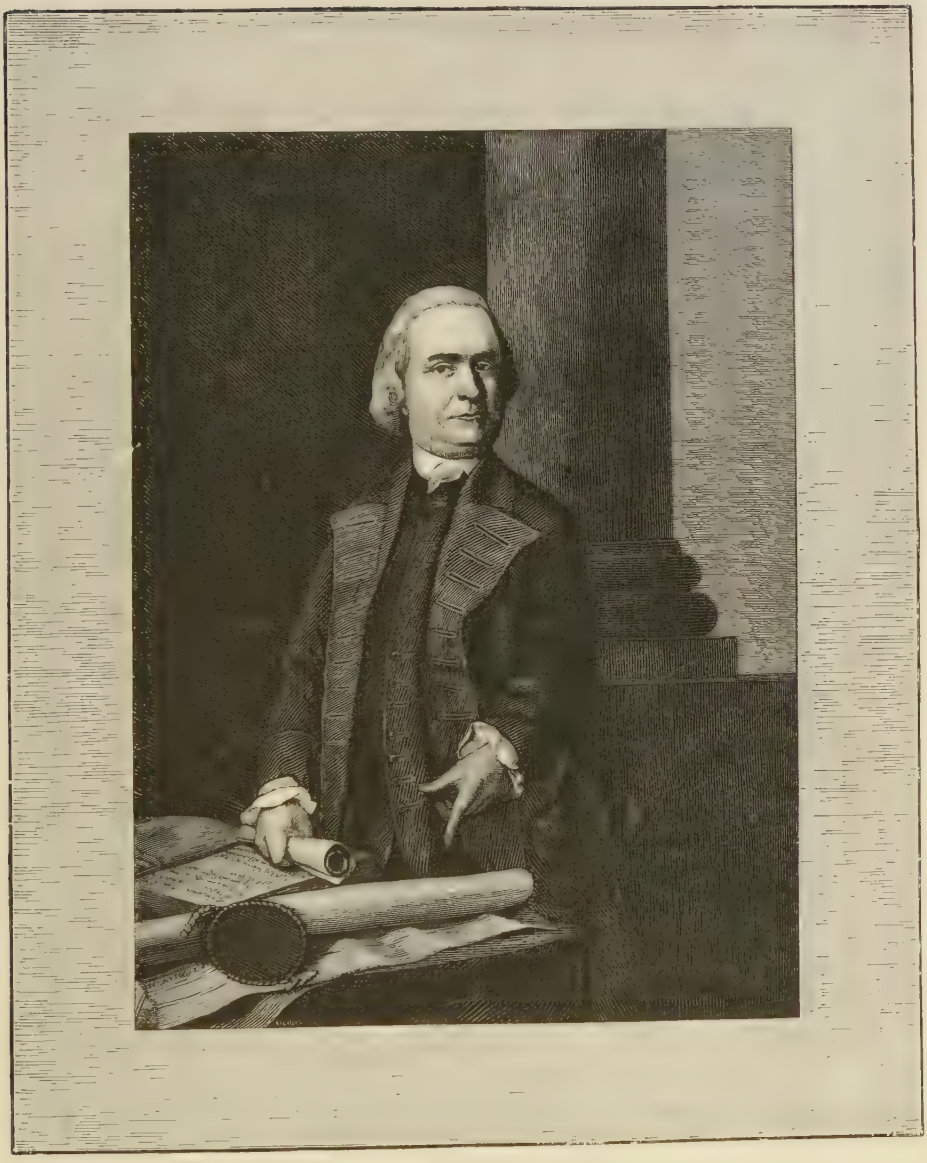
had not the power, but summoned Colonels Dalrymple and Carr to confer with the Council.

When the selectmen reached the meeting Samuel Adams addressed it. A committee of fifteen, headed by Adams, proceeded to the Council Chamber to repeat the demand for the removal of the troops. The committee presented its message and withdrew into another room to wait for an answer. Dalrymple consented to withdraw the 29th Regiment to the Castle, and the Council adjourned till the afternoon, in hopes that the concession would prove enough.

At three o'clock the town-meeting reassembled, but adjourned to the Old South Church to accommodate the increasing crowds. "The committee, led by Samuel Adams, his head bared in reverence to the occasion, and his gray locks flowing in the wind, issued from the Council Chamber." Through a crowd reaching to the church the committee silently passed, and, in the presence of three thousand eager listeners, the proposal of the royal Governor was announced. It was at once voted to be insufficient, and a new committee, with the same leader, was appointed to make a final demand.

John Adams (Life and Works, Vol. X., p. 249) has eloquently described the scene in the following words: —

"Now for the picture. The theatre and the scenery are the same with those at the discussion of writs of assistance. The



SAMUEL ADAMS.

same glorious portraits of King Charles II. and King James II., to which might be added, and should be added, little miserable likenesses of Governor Winthrop, Governor Bradstreet, Governor Endicott, and Governor Belcher, hung up in obscure corners of the room. Lieutenant-Governor Hutchinson, Commander-in-Chief in the absence of the Governor, must be placed at the head of the council table. Lieutenant-Colonel Dalrymple, Commander-in-Chief of His Majesty's military forces, taking rank of all His Majesty's counsellors, must be seated by the side of the Lieutenant-Governor and Commander-in-Chief of the province. Eight and twenty counsellors must be painted, all seated at the council board. Let me see — what costume? What was the fashion of that day in the month of March? Large white wigs, English scarlet cloth cloaks, some of them with gold-laced hats, not on their heads, indeed, in so august a presence, but on the table before them, or under the table beneath them. Before these illustrious personages appeared Samuel Adams, a member of the House of Representatives, and their clerk, now at the head of the committee of the great assembly at the Old South Church.

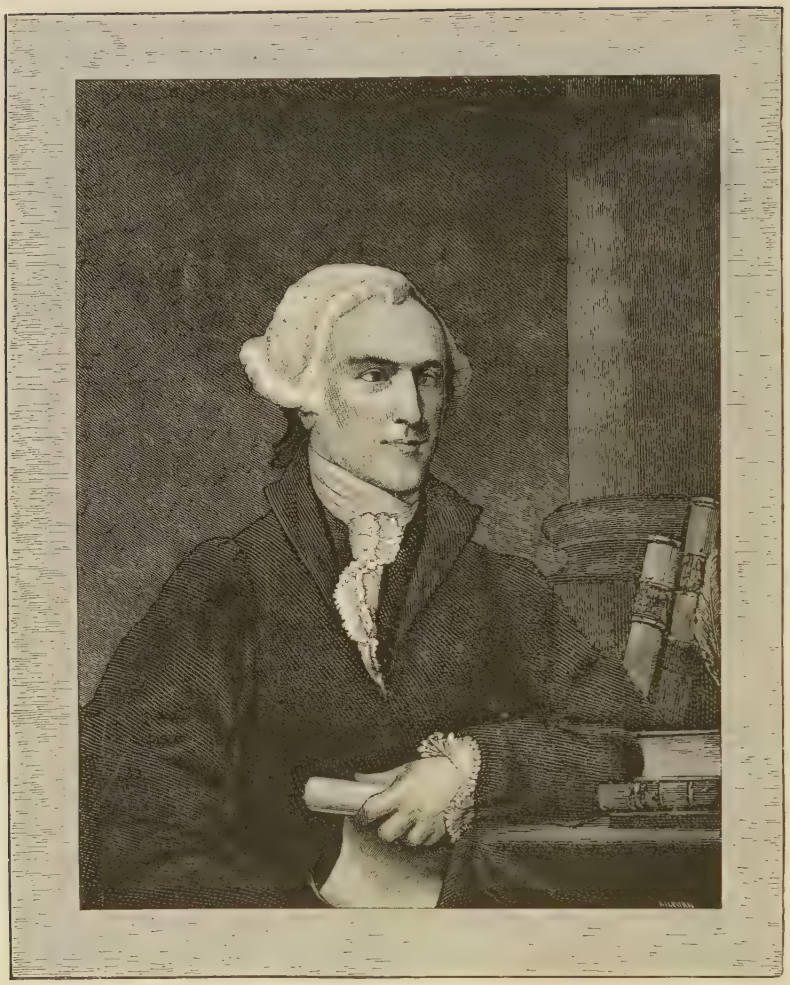
"Such was the situation of affairs when Samuel Adams was reasoning with Lieutenant-Governor Hutchinson and Lieutenant-Colonel Dalrymple. He had fairly driven them from all their outworks, breastworks, and intrenchments to their citadel. There they paused and considered and deliberated. The heads of Hutchinson and Dalrymple were laid together in whispers for a long time; when the whispering ceased, a long and solemn pause ensued, extremely painful to an impatient, expecting audience. Hutchinson, in time, broke silence; he had consulted with Colonel Dalrymple, and the Colonel had authorized him to say that he might order one regiment down to the Castle, if that would satisfy the people With a self-recollection, a self-possession, a self-command, a presence of mind that was admired by every man present, Samuel Adams arose with an air of dignity and majesty

of which he was sometimes capable, stretched forth his arm, though even then quivering with palsy, and with an harmonious voice and decisive tone said, 'If the Lieutenant-Governor or Colonel Dalrymple, or both together, have authority to remove one regiment, they have authority to remove two, and nothing short of the total evacuation of the town by all the regular troops will satisfy the public mind or preserve the peace of the province.

"These few words thrilled the veins of every man in the audience, and produced the great result. After a little awkward hesitation it was agreed that the town should be evacuated and both regiments sent to the Castle."

Hutchinson's own account of the affair agrees substantially with this, though throwing the responsibility upon Col. Dalrymple. On March 10 and 11 the two regiments were removed to the Castle.

Surely such an event as this must render this hall forever memorable. Whatever else had been done, at other times and places, here was taken the first open step toward successful rebellion. A government which removes its military force from a fort, a town, or a province, at the demand of its subjects, can hope to regain its ascendancy in the future only by the display of an irresistible armament in the same place. Hutchinson, who well understood the position, wrote to a friend, in March, 1770: "The body of the people are all of a mind, and there is



Josiah Quincy Junr

no stemming the torrent. It is the common language of Adams and the rest, that they are not to be intimidated by acts of Parliament, for they will not be executed here. . . . We are most certainly every day confirming ourselves in our principles of independence; and ——— tells me he is fully convinced that nothing but sharp external force will bring Boston into a state of due subordination." (Life of S. Adams, i., 335.)

The Legislature was convened in March, 1770, at Cambridge, despite their protest that the writs specified that the meeting was "to be held at the Town House in Boston." Samuel Adams, John Adams, John Hancock, and Joseph Hawley, were the leaders in the House, ably assisted by James Bowdoin in the Council.

In October the trial of Capt. Preston and his soldiers was held in this hall, John Adams and Josiah Quincy, Jr., acting as their counsel, and Preston was fully acquitted. Two of the soldiers were convicted of manslaughter.

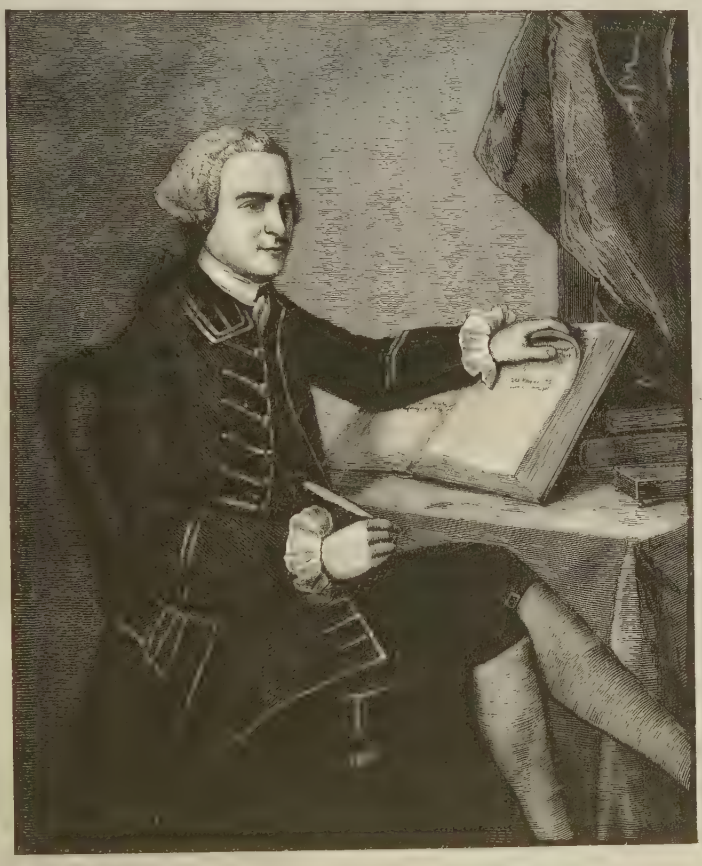
"The trials were far from satisfactory to the prosecutors; and, in a short time, a great part of the people were induced to believe the acquittals unjust and contrary to evidence; and the killing of the men was declared to be a horrid massacre, with the same freedom as if the jury had found those concerned in it guilty of murder. A few days after the trial,

while the Court continued to sit, an incendiary paper was posted up, in the night, upon the door of the Town House, complaining of the Court for cheating the injured people with a show of justice, and calling upon them to rise and free the world from such domestick tyrants." (Hutchinson, iii., 330.)

The removal of the train-band from the Castle and its delivery to the royal forces, was another ground of offence to the colonists.

In March, 1771, Hutchinson's commission as Governor arrived, and he met the Legislature at Cambridge as before. In the preceding year he had vetoed the election of eleven of his Council, as they were of the popular side. In this year he accepted them all, except John Hancock and Jerathmeel Bowers. The reported disagreement between Hancock and Adams, and the fact that the latter was opposed in his election in May, 1772, by two hundred and eighteen votes in seven hundred and twenty-three at the Boston meeting, probably influenced the Governor to allow the Legislature, in 1772, to return to its old apartments in this building.

As I confine myself to what was done *here*, I pass over the various events which tended to hasten the final rupture. But it was in the adjoining hall, after ordering the galleries to be cleared, that Samuel Adams produced those confidential letters of Hutchinson to his English friends, which convinced the



I am
Your most Obed.t
John Hancock

public that there was no safety for any of the opponents of the government.

In 1773 it became known that the experiment was to be made of shipping tea to this country and of collecting the duty upon it.

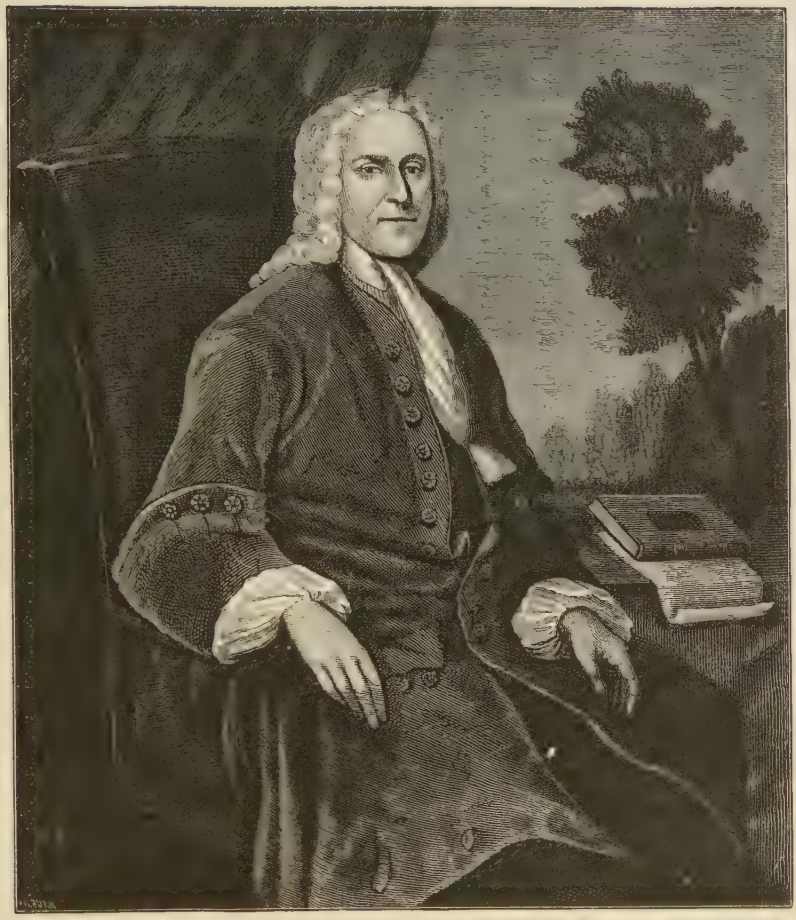
On November 28, 1773, the tea arrived, and, as Hutchinson bitterly remarks, "while the Governor and Council were sitting on the Monday in the Council Chamber, and known to be consulting upon means for preserving the peace of the town, several thousands, inhabitants of Boston and other towns, were assembled in a publick meeting-house, at a small distance, in direct opposition and defiance." We all know the result: that, after exhausting all peaceable means for the return of the "detested herb," a body of patriots, illegally but rightly, took the responsibility of consigning three hundred and forty-two chests of tea to the waves of Boston Harbor. "This was the boldest stroke which had yet been struck in America. . . . Their leaders feared no consequences. . . . They had gone too far to recede. If the colonies were subject to the supreme authority and laws of Great Britain, their offences long since had been of the highest nature. . . . And it is certain that, ever after this time, an opinion was easily instilled, and was constantly increasing, that the body of the people had also gone too far to recede, and that an open and general revolt must be the consequence;

and it was not long before actual preparations were visibly making for it in most parts of the province." (Hutchinson, iii., 439.)

Of course this proceeding could not be ignored by Parliament, and, in March, 1774, the Boston Port Bill, closing the port during the pleasure of the King, was passed, with other acts taking all the power from the people or their representatives, and giving it to the Crown. Persons accused of rioting could be sent to England for trial, and special orders were given for the arrest of Samuel Adams and other leaders.

On May 17, 1774, Thomas Gage, the commander-in-chief of all the troops in this country, arrived in Boston, commissioned as Governor of the province. Landing at Long Wharf, he was escorted up State street by the Boston Cadets, under the command of Hancock. In this hall he was duly sworn into office, and from the balcony the usual proclamation was made.

The last session of the Legislature held under the royal government was at Salem, on June 7, 1774. It was dissolved on the 17th, after it had provided for the appointment of James Bowdoin, Thomas Cushing, Samuel Adams, John Adams, and Robert Treat Paine, as delegates to the Congress to be held at Philadelphia. Thenceforward the old government was extinct. In the following year a Provincial Congress, elected by the people, assembled at Water-



To

June 29. 1771.

In the Name & by order of
the House of Representatives
I am with respect
your most humble Servt
Thomas Cushing Speaker

town, to exercise powers acknowledged by all the citizens of the new State. In Boston, the royal Governor, with his select board of thirty counsellors, appointed by himself, kept up for a while the farce of civic government. The true authority was in his hands as commanding the troops, and his official residence was at the Province House, opposite the head of Milk street.

Hardly anything is on record in regard to the Town House during the siege. It is stated that it was used as a barracks; certainly, after the evacuation of the town, no complaint was made of any injury done to it by the troops.[28] On the 19th of April, 1775, the battle of Lexington was fought; on the 17th of June following, the battle of Bunker Hill. On the 10th October, 1775, Gage was recalled to England, and, during his absence, Gen. Howe com-

[28] As an evidence of the demoralization during the last few days of British rule, when private houses were openly robbed by Crean and his Tory associates, we find that on March 14, 1776, Gen. Howe issued the following proclamation: —

"The commander-in-chief, finding, notwithstanding former orders that have been given to forbid plundering, houses have been forced open and robbed, he is therefore under a necessity of declaring to the troops that the first soldier who is caught plundering will be hanged on the spot.

"The commander-in-chief, having been informed that depredations have been committed in the Town House, offers the following rewards to any person or persons who shall convict any person or persons of cutting and defacing the King's and Queen's picture, and destroying the records and other public papers, viz.: For the King's picture, £50; for the Queen's picture, £50; for other pictures, records, and public papers, £20."

manded on the sea-board, and Gen. Carleton in Canada. On the 17th of March, 1776, the British troops evacuated the town; and, on the 20th, the main body of the American army marched in.

On the 29th of March, the citizens of Boston held a regular meeting for the election of town officers, in the Old Brick Church, Faneuil Hall having been fitted up as a theatre by the British officers.

On the 18th of July, 1776, the Declaration of Independence "was made public, with great parade and exultation, from the baleony on the east end."[29]

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[29] "Thursday last, pursuant to the order of the Honorable Council, was proclaimed from the balcony of the State House in this town the *Declaration* of the *American Congress*, absolving the *United Colonies* from their allegiance to the British crown, and declaring them *free and independent States*. There were present on the occasion in the council chamber a committee of council, a number of the Honorable House of Representatives, the magistrates, selectmen, and other gentlemen of Boston and the neighboring towns, also the commission officers of the Continental regiments stationed here, and other officers. Two of these regiments were under arms in King street, formed into three lines on the north side of the street and in thirteen divisions, and a detachment from the Massachusetts regiment of artillery, with two pieces of cannon, was on their right wing. At one o'clock the Declaration was proclaimed by Colonel Thomas Crafts, which was received with great joy, expressed by three huzzas from a great concourse of people assembled on the occasion. After which, on a signal given, thirteen pieces of cannon were fired from the fort on Fort-hill; the forts at Dorchester Neck, the Castle, Nantasket, and Point Alderton likewise discharged their cannon. Then the detachment of artillery fired their cannon thirteen times, which was followed by the two regiments giving their fire from the thirteen divisions in succession. These firings

The State government, which consisted of the Legislature without a Governor, still remained at Watertown. The session for 1776 begun May 29, and continued, by one prorogation and one adjournment, until the 12th of November, when it was transferred to Boston. The "Boston Gazette," of November 4, announces its own removal from Watertown to the printing-office opposite the Court House, in Queen street, and in its next issue, Monday, November 11, states, "Saturday last, the General Assembly of this State adjourn'd from Watertown, to meet at the State House in this Town, Tomorrow, at Ten o'clock."

On November 16, 1776, seventeen Councillors

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corresponded to the number of the American States united. The ceremony was closed with a proper collation to the gentlemen in the council chamber; during which the following toasts were given by the president of the council, and heartily pledged by the company, viz. : —

"'Prosperity and perpetuity to the United States of America.'

"'The American Congress.'

"'General Washington, and success to the arms of the United States.'

"'The downfall of tyrants and tyranny.'

"'The universal prevalence of civil and religious liberty.'

"'The friends of the United States in all quarters of the globe.'

"The bells in town were rung on the occasion; and undissembled festivity cheered and brightened every face.

"On the same evening, the King's Arms, and every sign with any resemblance of it, whether Lion and Crown, Pestle and Mortar and Crown, Heart and Crown, etc., together with every sign that belonged to a Tory, were taken down, and the latter made a general conflagration of in King street." — *New England Chronicle for July 25, 1776.*

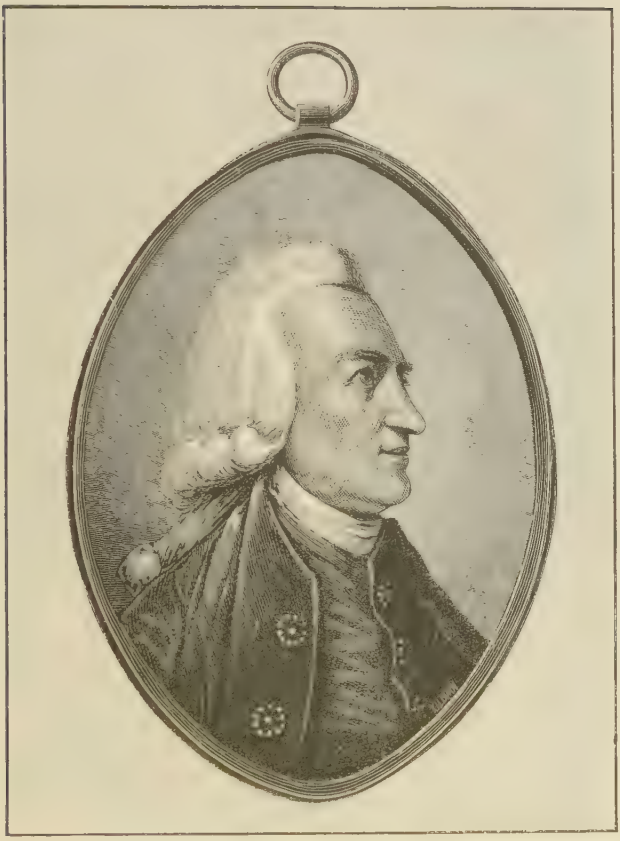
signed a proclamation, "given at the Council Chamber in Boston," for a Thanksgiving to be observed on December 12 following.

The various State officials also returned to this building, which continued in use as the State House, for nearly twenty years. In 1780 the State Constitution was adopted, and John Hancock, the first Governor of the State, was installed here, to the great delight of his fellow-townsmen. James Bowdoin, Samuel Adams, and Increase Sumner, succeeded Hancock, and presided in this chamber.

In 1782 a great reception was given in the Council Chamber to the French fleet and army, then returning to Europe.

On the 23d of April, 1783, the Proclamation of Peace was received here, "and the sheriff of the County of Suffolk, Joseph Henderson, Esq., announced the same from the balcony of the State House, at one o'clock, before which a large concourse of the most respectable inhabitants of the town were assembled, who demonstrated by three loud huzzas, their joy upon this occasion. After which, thirteen cannon, from the fortresses at the Castle, and the same number at Fort Hill, were fired."

In 1785 the view of the Old State House here annexed was used on the title-page of the "Boston Magazine." It is interesting as showing that the



JAMES BOWDOIN.

Old State House in 1785. (From the Cover of the Boston Magazine.)

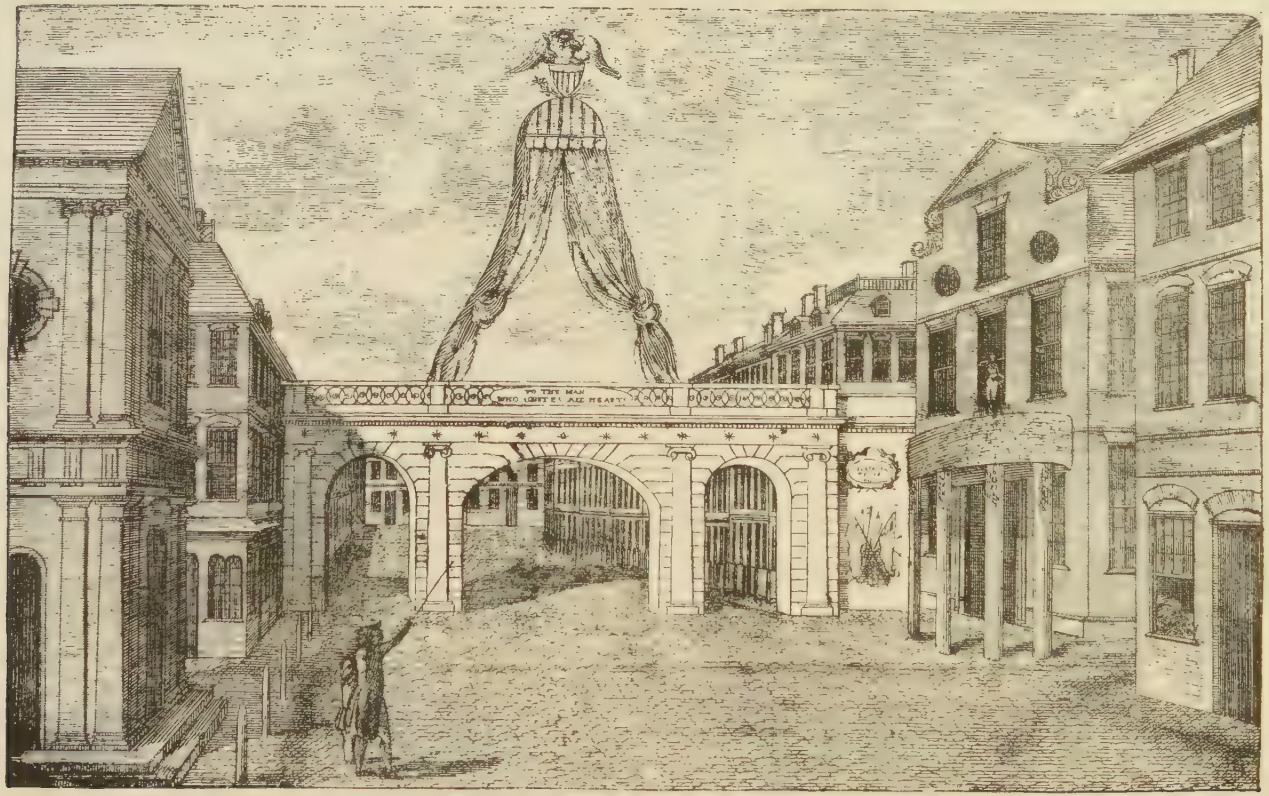
Province Arms, or their supporters, had disappeared from the eastern front, but that the scrolls had not been substituted; and that the steps were then in place. It also shows that at that date this building was regarded as a peculiarly Bostonian structure, and therefore figured on the front page of a Boston book.

In October, 1789, Washington visited Boston, and reviewed the procession in his honor from a balcony erected from the centre window of the Representatives' Hall.

Of course Washington had seen the State House in 1776, when he entered the town with his victorious troops; but, on this occasion, the building was the centre of the pageant in his honor. We copy from the "Massachusetts Magazine" for January, 1790, a view therein engraved, and the following "Description of the Triumphal Arch and Colonnade, erected at Boston, in honour of the President of the United States, October 24, 1789. — The Triumphal Arch (designed by Mr. C. Bulfinch) was 18 feet high, composed of a centre arch 14 feet wide, and one on each side, of 7 feet, with an Ionick pilaster and proper imposts between them. The frieze exhibited 13 stars on a blue ground, and a handsome white, defitulo cornice was carried to the height of the platform; above was painted a balustrade of interlaced work, in the centre of which was an oval tablet,

with the following inscriptions: on one side, '*To the Man who unites all Hearts*,' and on the other, '*To Columbia's favourite Son.*' At the end adjoining the State House was a panel decorated with a *Trophy*, composed of the arms of the United States, of the Commonwealth of Massachusetts, and of our French Allies, crowned with a laurel wreath; over these an inscription, '*Boston relieved, March 17, 1776*,' — as a proof of a grateful remembrance of the service rendered the town by the illustrious President in his military character. Over the centre arch, a rich canopy, of 20 feet in height, was erected, with the American Eagle perched above.

"The Colonnade (designed by Hon. Mr. Dawes) was erected at the west end of the State House, adjacent to the Arch. It was composed of six large columns, 15 feet high, and a balustrade hung in front with Persian carpets, on which were wrought 13 roses. The circle of the Colonnade measured 44 feet, and projected boldly into the main street, so as to exhibit in a strong light '*The man of the people.*' The central west window of the State House was the door through which the President passed to the balustrade, descending from a platform four easy steps, to the floor of the gallery, which was furnished with arm-chairs, and spread with rich carpets. On this platform was a pedestal covered with green, supporting the figure of *Plenty*,



Triumphal Arch, at the Reception of Washington in 1789.

Procession.

BOSTON, OCT. 19, 1789.

AS this town is shortly to be honoured with a visit from THE PRESIDENT of the United States: In order that we may pay our respects to him, in a manner whereby every inhabitant may see so illustrious and amiable a character, and to prevent the disorder and danger which must ensue from a great assembly of people without order, a Committee appointed by a respectable number of inbitants, met for the purpose, recommend to their Fellow-Citizens to arrange themselves in the following or-, in a

PROCESSION.

IT is also recommended, that the person who shall be chosen as head of each order of Artizans, Tradesn, Manufacturers, &c. shall be known by displaying a WHITE FLAG, with some device thereon expresse of their several callings, and to be numbered as in the arrangement that follows, which is alphabetically dised, in order to give general satisfaction.--The Artizans, &c. to display such insignia of their craft, as they n conveniently carry in their hands. That uniformity may not be wanting, it is desired that the several ag-staffs be SEVEN feet long, and the Flags a YARD SQUARE.

ORDER OF PROCESSION

MUSICK.

The Selectmen,
Overseers of the Poor.
Town Treasurer,
Town Clerk,
Magistrates,
Consuls of France and Holland,
The Officers of his Most Christian Majesty's Squadron,
The Rev. Clergy,
Physicians,
Lawyers,
Merchants and Traders,
Marine Society,
Masters of Vessels,
Revenue Officers,
Strangers, who may wish to attend.

Bakers, No. 1.
Blacksmiths, &c. No. 2.
Block-makers, No. 3.
Boat-builders, No. 4.
Cabinet and Chair-makers, No. 5.
Card-makers, No. 6.
Carvers, No. 7.
Chaise and Coach-makers, No. 8.
Clock and Watch-makers, No. 9.
Coopers. No. 10.
Coppersmiths, Braziers and Founders, No. 11.
Cordwainers, &c. No. 12.
Distillers, No. 13.
Duck Manufacturers, No. 14.
Engravers, No. 15.
Glaziers and Plumbers, No, 16.
Goldsmiths and Jewellers, No. 17.
Hair-Dressers, No. 18.
Hatters and Furriers, No. 19.
House Carpenters, No. 20.
Leather Dressers, and Leather Breeches Makers, No. 21.
Limners and Portrait Painters. No. 22.
Masons, No. 23.
Mast-makers, No. 24.
Mathematical Instrument-makers, No. 25.
Millers, No. 26.
Painters, No. 27.
Paper Stainers, No. 28.
Pewterers, No. 29.
Printers, Book-binders and Stationers, No. 30.
Riggers, No. 31.
Rope-makers, No. 32.
Saddlers. No, 33.
Sail-makers, No. 34,
Shipwrights, to include Caulkers, Ship-joiners, Head-builders and Sawyers, No. 35.
Sugar-boilers, No. 36.
Tallow-Chandlers, &c. No. 37.
Tanners, No, 38.
Taylors, No. 39.
Tin-plate Workers, No. 40.
Tobacconists, No. 41.
Truckmen, No. 42.
Turners, No. 43.
Upholsterers, No. 44.
Wharfingers, No. 45.
Wheelwrights, No. 46.
Seamen,

N. B.—In the above arrangement, some trades are omitted—from the idea, that they would incorporate themselves with the branches tioned, to which they are generally attached. For instance—it is supposed, that under the head of *Blacksmiths*, the Armourers, Cutlers, itesmiths and other workers in iron, would be included; and the same with respect to other trades.

EACH division of the above arrangement is requested to meet on such parade as it may agree on, and march into the Mall—No. 1 of the izans, &c. forming at the South-end thereof. The Marshalls will then direct in what manner the Procession will move to meet the sident on his arrival in town. When the front of the Procession arrives at the extremity of the town, it will halt, and the whole will be directed to open the column—one half of each rank moving to the right, and the other half to the left—and then face inwards, so as form an avenue through which the President is to pass, to the galeries to be erected at the State-House.

r is requested that the several School-masters conduct their Scholars to the neighbourhood of the State-House, and form them in such er as the Marshalls shall direct.

THE Marine Society is desired to appoint some person to arrange and accompany the seamen.

with her *Cornucopiæ* and other emblems. As soon as the President entered this Colonnade he was saluted by three huzzas from the citizens, and by an Ode (see our Magazine for October, 1789, page 659), sung by a select choir of singers, seated under the canopy erected over the arch. The whole formed an agreeable spectacle, and heightened the pleasure of the day."

We also present a fac-simile of the Order of Exercises on that interesting occasion, from a copy preserved in the Boston Public Library.

Finally, the project of a new State House was agitated, and the corner-stone thereof was laid July 4, 1795, with Masonic honors. It was first occupied by the Legislature on the 11th of January, 1798, when that august body marched in procession from the Old State House to the New.

The following description, written by Thomas Pemberton, a local antiquary, in 1794, was printed in the collection of the Massachusetts Historical Society, 1st series, vol. iii., p. 250: —

The State House, called the Town House. The building first erected for governmental business was placed at the head of King-street, and was consumed by fire in 1711. In the year following a new brick building was raised on the same spot and met with a like fate the 9th of December, 1747; when some of the records and other public papers were destroyed. It was repaired in the year following, in its present form, and is in length 110 feet, in

breadth 38 feet, and three stories high. On the centre of the roof is a tower, consisting of three stories, finished according to the Tuscan, Doric and Ionic orders. From the upper story is an extensive prospect of the harbor, into the bay and of the country adjacent.

The lower floor of the building serves for a covered walk for any of the inhabitants. On this floor are kept the offices of the clerks of the Supreme Judicial Court and Court of Common Pleas. The chambers over it are occupied by the General Court, the senate in one and the representative body in the opposite chamber.

The third story is appropriated for the use of the Committees of the General Court. On the lower floor are ten pillars of the Doric order, which support the chambers occupied by the Legislature. This building is in Cornhill, one mile two hundred and seventy-nine yards from Washington street, the late fortification entrance from the neck into the town. Its latitude is 42 deg. 21 min. north; the longitude is 71 deg. 3 min. 30 sec. west from Greenwich, in England.

We have already printed (*ante*, p. 63) the description of the building, published in August, 1791, in the "Massachusetts Magazine." In the same magazine for July, 1793, there was published a larger engraving, here reproduced; but no explanation was given except a reference to the earlier issue.

Another view of the Old State House at this time has been preserved to us, being engraved upon the policies of the Massachusetts Fire Insurance Company. This association, the first so established in the State, was incorporated in 1795, and remodelled

Old State House, 1799. (From a Policy of the Massachusetts Fire Insurance Company.)

as the Massachusetts Fire and Marine Company in 1799.

The engraving was retouched, probably at the date of the assumption of the new title, and the sidewalk at the right was sketched in. The other details were somewhat modified, so that the second state of the plate has been preferred for reproduction herewith.

A copy of the first impression is in the collection of the Massachusetts Historical Society, and one of the second issue is placed on the walls of the Old State House, both given by Henry C. Short, Esq., of Boston.

After the Legislature had departed, the Town House fell upon evil days. The town-meetings were held in the enlarged Faneuil Hall, with which we are familiar. The courts were transferred to the Court House on Court street, and the old building was given up to various tenants. The records of the town and of the selectmen do not enable us to give full details of the occupants. In fact, until 1803 the title to the estate was in doubt. The State claimed the right to sell the property, and to take one-half the proceeds. To this the town stoutly demurred, claiming the fee of the land, and a moral right, at least, to specify the uses to which the building should be put. At the Town Meeting of March

12, 1798, a committee, consisting of William Eustis, Josiah Waters, and William Smith, was appointed "to confer with a Committee of the General Court respecting the disposal of the Old State House." (*Records*, p. 62.) At the meeting of Nov. 5, 1798, the subject was again referred to William Eustis, Samuel Brown, Judge Minot, William Smith, and Thomas Edwards, to report at the adjournment. (*Records*, p. 94.) —

Their report was as follows (*Records*, p. 99): —

Town Meeting Nov. 21, 1798.

"The Committee appointed to consider certain resolves of the Legislature of this Commonwealth relative to the disposition and sale of the Old Court House [in the margin "Old State House"] so called, have attended to the subject, and take leave to report as follows.

"First. The Committee are satisfied that the fee of the Land on which the House stands, is in the Town of Boston, and that they have likewise erected and repaired from time to time nearly one-half of the House; from whence it results that the Town ought not to consent to the proposal made by the Legislature to appoint agents to sell the said House and Land thereto belonging, and to place one half of the proceeds in the Treasury of the Commonwealth.

"Secondly — The Committee are of opinion that selling the premises to any individual Person or company will be attended with consequences very injurious to the Town. The purposes for which it might and probably would be occupied would tend greatly to incumber the most frequented street in the Town, which is in its present state not of sufficient width for public accommodation;

Old State House in 1801. (From the Picture in the Possession of the Massachusetts Historical Society.)

the danger from fire would be very much increased whether the house is appropriated for Shops, Counting-Houses, or in short from any use to which the interest of individuals might appropriate it. Beside the increase of real obstructions to the Streets on both sides of the House, the Committee are apprehensive that the Health of the inhabitants may be exposed by the nuisances which a complete occupation of the House would necessarily imply.

"The Committee are of opinion that the Town ought to be the owners of the House and Land in order that it may be appropriated to no uses of which they shall disapprove.

"As the Hon^ble^ Legislature appear from their resolves to be impressed with an idea that one half of the premises is the property of the Commonwealth, and at the same time have consented to refer the claim together with that of the Town and of the Counties of Suffolk and Norfolk to the Judges of the Supreme Judicial Court for a final decision,

"The Committee conceive that the Town should agree to the reference proposed so far as that the Judges shall finally determine what part of the premises is the property of the Town.

"And with respect to the other proposal of selling whether by public or private sale, that the Town should not agree to the same, but that the Representatives of the Town be instructed to represent to the Legislature the inconveniences which would result from a sale to individuals, together with the desire of the Town that they will purchase from the State such their proportion of the same as the Judges shall award, at an appraisement to be made by three impartial men, to be chosen one by the Legislature, one by the Representatives of the Town, the third by the two first or by lot between them if they cannot agree.

"William Eustis, pr Order."

The foregoing Report having been read and considered was accepted by the Town.

After some delay, at the meeting of March 1, 1802, the senators of the district and the representatives of the town were given full powers to treat with the General Court in regard to the Old Town House and land. (*Records*, p. 141.)

Again, March 1, 1802, the Selectmen were made a committee to choose referees for a final adjustment of the claim of the State and the Town to the Old Town House. (*Records*, p. 193.)

Finally, Feb. 15, 1803, a resolve was passed (Resolves, c. 95, of 1803), authorizing three commissioners to sell the Commonwealth's interest to the town for the sum of $6,000. A like release was obtained from the counties of Suffolk and Norfolk, for the sums of $1,923.43 and $1,176.58 respectively.[30]

[30] The following deed, the original of which now hangs on these walls, is recorded in the Suffolk Registry, Vol. 205, fol. 207: —

Know all Men by these presents: That we, the undersigned, being appointed a Committee by the General Court of the Commonwealth of Massachusetts, by their resolve of the fifteenth of February, one thousand eight hundred and three, "and authorized with full power to make sale of all the Commonwealth's Estate, right, title and Interest, in and to the Old State House, to the Town of Boston, or such person or persons, and on such terms, as said Committee shall judge will be most for the Interest and honor of the Commonwealth and to execute good and sufficient Deed or Deeds of release thereof — and to pay the proceeds or deliver the securities which they may receive therefor, into the Treasury of this Commonwealth."

For and in consideration of the sum of six thousand Dollars for the use of the Commonwealth aforesaid, paid by the Inhabitants of the Town of Boston, in the County of Suffolk — the receipt whereof we do hereby acknowledge, Do by these presents, sell, release and forever quit claim unto the said Inhabitants of the Town of Boston, all the said Commonwealth's Estate,

The town then voted, May 23, 1803 (*Records*, p. 241), "on the article in the warrant, viz. what

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right, title and Interest in and to the building called the Old State House, situate at the head of State street, in Boston aforesaid.

To have and to hold, the above released premises, to the said Inhabitants of the Town of Boston and their assigns forever.

In witness whereof, We have hereunto set our hands and seals, in Boston, the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and three.

Enoch Titcomb & a Seal.
Aaron Hill & a Seal.
Nicho's Tillinghast & a Seal.

Signed, sealed and deliver'd in presence of
Sam. Cazneau.
Edw'd McLane.
Jacob Kuhn.

Suffolk, ss. Boston, April 29th, 1803.

Then the above named Enoch Titcomb, Aaron Hill and Nicholas Tillinghast, Esquires, personally appeared, and in their capacity as aforesaid acknowledged the foregoing instrument by them subscribed, to be their free act and deed.

Before me
John Avery Jus: Peace.

A True Copy.
Attest: John Avery Secretary.

In lib. 205, fol. 215, is the deed, dated May 21, 1803, by which Seth Bullard, Thomas Williams, Jr., and Moses Everett, commissioners appointed by the Court of General Sessions of the county of Norfolk, sold to the town of Boston all the rights of that county in the Old State House, for $1,176.58. This county was in part formed from the old county of Suffolk, which had a quarter interest in the building.

In lib. 206, fol. 236, is a similar deed, dated July 21st, 1803, from Samuel Gardner, Ebenezer Seaver, and Josiah Batcheldor, similar commissioners for the county of Suffolk, to sell that county's right in said building to the town of Boston. The whole title is thus clearly vested in our city.

measures shall be taken for the disposal and management of the Old State House? . . . that the Committee chosen in the several Wards in April last to assist the Assessors, be appointed a Committee to consider this article in the warrant, and to report thereon at the Adjournment."

On Monday, June 13, 1803, the adjourned meeting was held and the following report made: "After some debate it was moved that the sense of the Town be taken as to the expediency of leasing the same, and the question being put, it was passed in favour of its being leased. The report was taken up, *amended*, and accepted by the town, and is as follows[31] : —

That in the opinion of the Board of Assistant Assessors, the Committee for the purpose, it would be for the interest of the Town to lease the Old State House for a term of time not less than ten nor to exceed twenty years, and the rent to be paid quarterly or annually, and that it be a condition of the Lease that the house be put into good repair and Kept so during the term for

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[31] The records of the Assessors is as follows, and shows that the town essentially amended the report before acceptance, in the interest of the protection of the building : —

1803. At a meeting of the assistant assessors held at the Selectmens Room by regular notification to take into consideration and act upon the vote of the Town, desiring this Board to make a Report to them of the best mode in their opinion for the disposal of the Old State House in Boston,

TRISTRAM BARNARD, Chairman.

A long conversation took place on the subject for which the meeting was called.

which it may be leased, by, and at the expense of the Lessee, and shall be occupied for public or private offices and such other

Voted, To adjourn this meeting to Thursday next at 4 P.M. then to meet in this room and that the Secretary notify the members of the Board thereof.

Adjourned, Attest W. Walter, Sec.

At a meeting of the Board of assistant assessors held by adjournment on Thursday Afternoon the at the Selectmens Room, when having heard the opinions of the several Members on the subject of the Old State House, the following Report was drawn up and adopted by a very large majority of the Board there being present

Messrs. Tristram Barnard, William Walter,
Asa Hammond, Jno Brazier, Jno Wait,
Jacob Rhoades, Joshua Hall, Jon^{A} Loring,
Mitchell Lincoln, Benj Smith, Jacob Holland,
Josiah Knapp, Jno Winslow, Nathan Webb,
Francis Wright, and Josiah Wheeler.

The Board of Assistant Assessors whom the Town at their last Meeting Voted should take into consideration & report their opinion of the best mode for the future disposal and management of the Old State House, having attended that Business and very fully considered the subject, beg leave to Report:

That in the opinion of this Board it would be for the interest of the Town to Lease the Old State House, for a term of time not less than *Twenty*, nor to exceed *Fifty* years: the time to be at the option of the Lessee, and the rent to be paid Quarterly; and that it be a condition of the Lease that the House be put into good Repair, and kept so during the term for which it may be leased, by and at the expence of the Lessee and shall be occupied for public or private offices & such other purposes only as the Selectmen for the time being shall approve of and that no alteration be made in the external form of the Building without their approbation. And that it would be best to dispose of the Lease at Auction.

Voted. That the above report be signed by the Chairman & presented to the Selectmen.

Voted, That the Meeting be dissolved.

Attest, W. Walter, Sec.

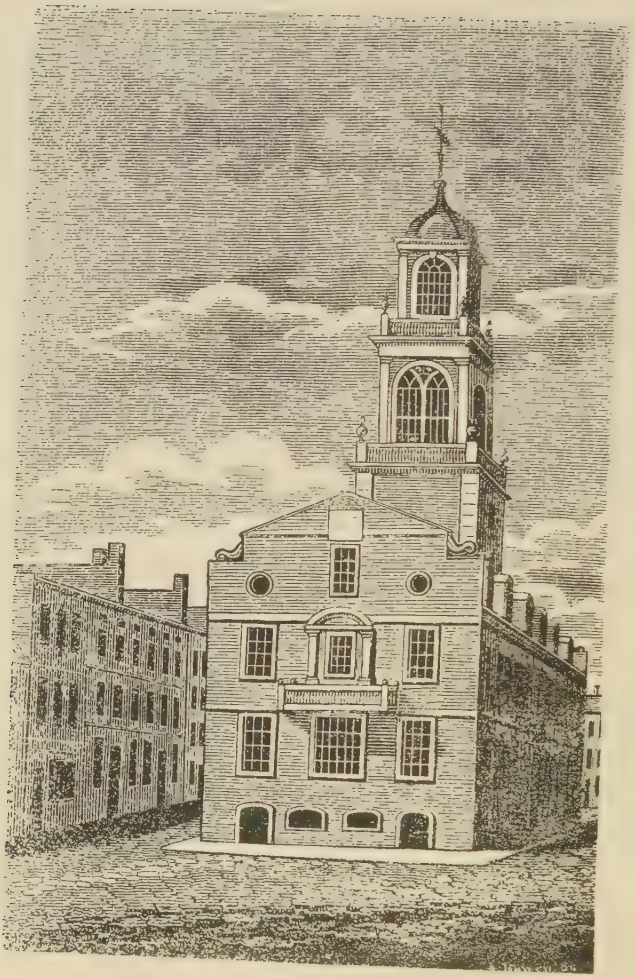
purposes only, as the Selectmen for the time being shall approve of; and that no alteration be made in the external form of the building without their approbation; the Lease containing a clause providing that if the Rent shall not be punctually paid, according to the terms of the lease, or if the Lessee or Lessees, their heirs or assigns, shall not occupy the estate according to the approbation or orders of the Selectmen as before expressed; or shall suffer it to go to waste for want of repairs, that then the Selectmen or the Town shall have a right to re-enter, and by the re-entry to render the Lease void after such re-entry; providing however that the rights of re-entry be no bar to an action on the Lease against the Lessee or Lessees, their heirs, executors, administrators or assigns, if the Town consider such mode to be most eligible: and that it would be best to dispose of the lease at public auction.

TRISTRAM BARNARD, Chairman.

WILLIAM WALTER, Secretary.

The selectmen were instructed, March 13, 1809, to carry into complete effect the condition of the lease.

It would seem that in 1809 a Dr. Rand was one tenant; in 1810 a Mr. Burley, and also the Columbian Insurance Co. In 1811 the office lately occupied by Mr. Park was divided into smaller rooms. In 1812 the cellars were let for three years, for $600, to B. Foster, Josiah Siders, and Edward Flood, or Floyd. April 29, 1812, the County Treasurer was assigned a room adjoining westerly that of the Town Treasurer. July 8, 1812, the room lately hired by Henry Messenger, and then by Samuel D. Parker, was valued at $200 rent. In 1813 Mr. Harrington's rent was reduced to $120, and applications for a re-



Old State House in 1821. (From Hales' Survey.)

duction were made by the Commercial Insurance Co., Mr. Floyd, and Mr. Siders. In the spring of 1816 Mr. H. N. Rogers applied in behalf of the gentlemen associated at Merchants' Hall, and obtained leave to use the lanthorn of the Old State House as an observatory for ships. The rents then fixed were for Mr. Barry, $800; Mr. Rea, $800; Gilbert and Dean, $200; Beal and Hobart, $150. (Mr. William Barry kept a hat-store there in 1826.) Mr. Messenger declined to pay a rent of $300; and the office lately occupied by Mr. Selfridge was let to Mr. Parker, for $150.

On the 20th March, 1816, the building narrowly escaped destruction by fire, as the following extract from the newspaper shows. The "Columbian Centinel" for Saturday, March 22d, reports a fire in Fish street, at three o'clock on Thursday morning previous, and adds: —

> In the night of the above fire the Old State House narrowly escaped destruction, from fire communicating through the foundation of a stove to the floor and joists. Fortunately some persons who had been roused early by the preceding alarm, entered the house in season to extinguish the fire, and probably saved the books and documents in the County and town Treasury offices from being consumed.

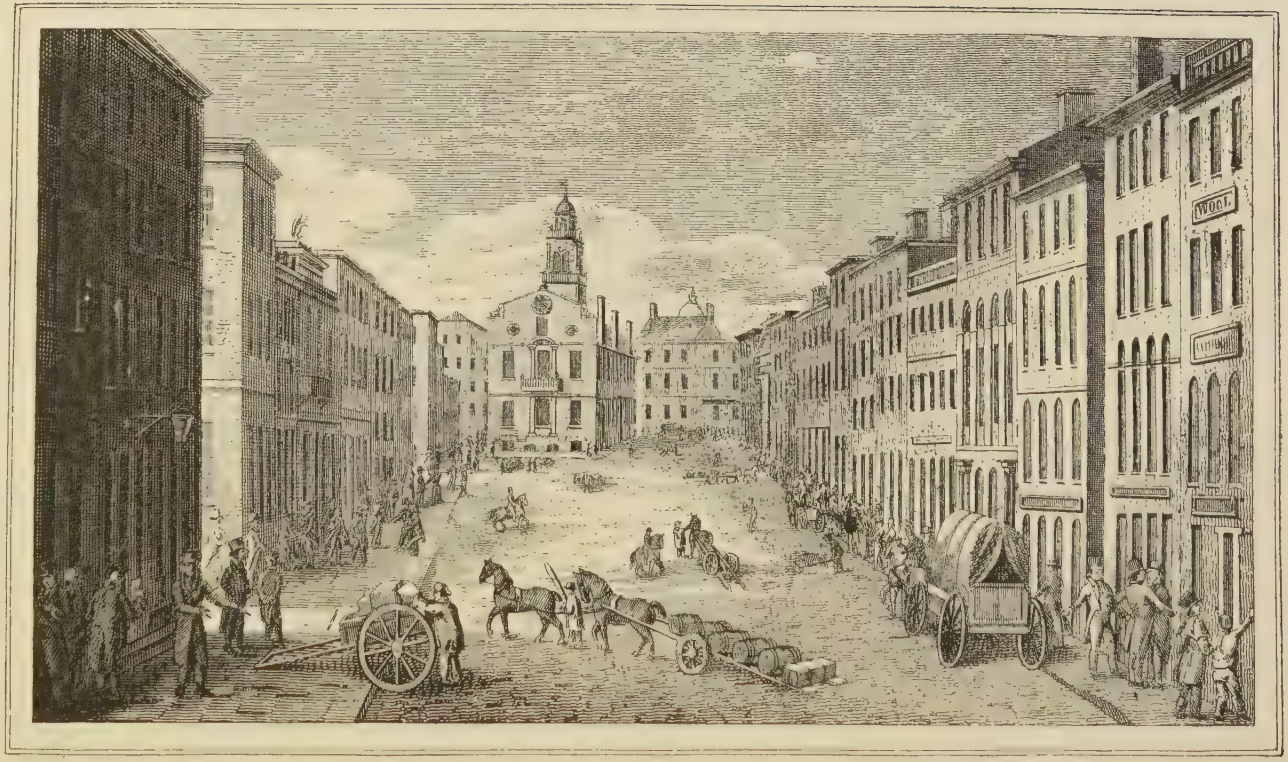
In January, 1817, Mr. Greenwood applied for the upper part, and was informed that the lowest rent would be $1,200. Probably this was Mr. E. A.

Greenwood, who opened his museum, July 4, 1818, in Court street.

We copy the following description from Shaw's History of Boston, printed in 1817: —

Old State House. — The building first erected for governmental business was placed at the head of King-street, and was consumed by fire in 1711. In the year following a new brick building was raised on the same spot, and met a like fate on the 9th of December, 1747, when some of the records and other public papers were destroyed. It was repaired in the year following, in its present form, and is in length one hundred and ten feet, in breadth thirty-eight feet, and three stories high. On the centre of the roof is a tower, consisting of three stories, finished according to the Tuscan, Dorick and Ionick orders. From the upper story is an extensive prospect of the harbor, into the bay, and of the country adjacent. The lower floor of the building served for a covered walk for any of the inhabitants. On this floor were kept the offices of the clerks of the Supreme Judicial Court and Court of Common Pleas. The chambers over it were occupied by the General Court, the senate in one and the representative body in the opposite chamber. The third story was appropriated for the use of the committees of the General Court. On the lower floor were ten pillars of the Dorick order, which supported the chambers occupied by the Legislature. This building is in Cornhill, one mile two hundred and seventy-nine yards from Washington street, the late fortification entrance from the neck into the town.

Dec. 28, 1819, Col. Daniel Messinger hired his room and the one adjoining, lately occupied by Charles Bridge, for $500.



State Street and Old State House, 1826.

June 22, 1820, the town voted to lease all the rooms above the lower story, except two on Cornhill (*i.e.*, Washington street), for $600, to the Freemasons, and the selectmen made a lease accordingly for ten years from October 1. The records of the Grand Lodge show that the last meeting was June 9, 1830.

January 30, 1822, the Directors of the United States Bank, being in search of a suitable place, offered to buy the building; but the offer was not accepted.

The following description from the first edition of Bowen's "Picture of Boston," 1828–9, shows the condition of affairs until 1830: —

Old State House. — The building first erected for governmental business was placed at the head of State-street. It has been twice burnt. The last time it was destroyed was in 1747, and it was repaired in its present form, in the following year. The building is in length 110, in breadth 38 feet, three stories high, finished according to the Tuscan, Dorick and Ionic orders. The lower story of this building is now rented by the city for stores and offices, the second and third stories, except one room at the west of the second story (which is occupied for the city Treasurer's office), are occupied by the Masonic Lodges in Boston. The Masonic Hall is elegantly embellished; the decorations and furniture are very rich and appropriate, and the room is sufficiently capacious for most masonic purposes. It measures 43 by 32 feet and is 16 feet high. The following is a list of the lodges that hold their meetings here, viz., —

Grand Lodge of Massachusetts on the second Wednesday in December, March, June and September.

Grand Chapter, 2d Tuesday in December, June and September.

St. John's Lodge on 1st Tuesday of each month.

St. Andrew's on 2d Thursday of each month.

Massachusetts on last Friday of each month.

Columbian on 1st Thursday of each month.

Mount Lebanon on last Monday of each month.

St. Andrew's Chapter on 1st Wednesday of each month.

St. Paul's Chapter on 3d Tuesday of each month.

Council of R.M. on last Wednesday of each month.

Encampment on 3d Wednesday of each month.

This building, being placed at the head of one of the first streets in Boston, has quite a pleasant and imposing appearance to the stranger as he approaches it from Long Wharf. In Hales' "Survey of Boston and Vicinity" the measures of distances are reckoned from this building.

The accompanying view is part of a large picture painted, in 1829, by Salmon, from a point on Pemberton Hill.

The city government was inaugurated at Faneuil Hall, May 1, 1822, but no arrangements had been made for a City Hall. As will be more fully shown in Appendix F, accommodation was obtained for the various departments in different buildings, the Mayor and the City Council being provided for in the Stone or County Court-House on School street, on the site now covered by City Hall. Such a state of affairs was of course inconvenient, and the project of a City Hall was soon agitated.

Washington Street End, 1850.

State Street End, 1880.

View from Pemberton Hill,
1829.

In 1830 it was decided to occupy the Old State House for city purposes. During these eight years the preservation of the building had been twice in doubt. In November, 1825, it came near destruction by fire, as the following vote shows: —

In Board of Aldermen, January 23, 1826. "It having been made known to the Board of Aldermen, that, at the fire in Court street in November last, Mr. Almoran Holmes and Mr. Bela Lincoln were instrumental in preserving the City Building called the Old State House, by permitting themselves to be let down from the cupola to the ridge-pole of the building, and from thence extinguishing the fire that had already rekindled upon the roof thereon: *Resolved* that the thanks of this board be presented to them for their distinguished exertions in preserving, with so much skill and at so much personal hazard, in the manner above stated, the property of the city from destruction."

Again, in 1826, the Washington Monument Association was desirous of obtaining a site for Chantry's statue, now placed in the State House. They finally decided that the best place would be on the site of the Old State House, in a building to be erected for the purpose. In a report published by the trustees they stated "the reasons which induced the Committee to prefer the site of the Old State House had reference as much to the honor and interests of the City, to its ornament and convenience, as to the peculiar fitness of this spot for the permanent location of a monument in honor of

our First Citizen. This place was selected in the infancy of our State, as the seat of Legislation and Jurisprudence. In the edifice there erected, a succession of firm, enlightened, and vigorous measures of resistance to the usurpations of the British ministry were devised and adopted, which must be considered as the more immediate causes of our National Independence, and it seems to be difficult to reconcile the comparatively degraded uses, to which that edifice has since been condemned, with the uniform patriotism, and veneration for the founders of our Republic, for which the City of Boston has been, at all periods of its history, so distinguished." The committee to present this report consisted of John Lowell, James Lloyd, John Davis, John C. Warren, William Sullivan, and Edward Everett. Objection, however, was made by the public, and the building happily escaped destruction at the hands of those who esteemed themselves its friends.

The work of restoration, in 1830, was confided to Isaiah Rogers, and he entrusted part of the details to a young architect just beginning the series of works which makes the name of William Washburn familiar to us. It was a time when classical types were in vogue, and, therefore, the additions were patterned on Grecian models. Heavy wooden porticos were added at each end, and these halls on the second

City Hall, 1830.
(From Snow's Geography.)

City Hall, 1835.
(From Bewick Co.'s Map.)

City Hall, 1838.
(Bowen's Picture.)

floor were fitted to the uses of the City Council. In this room the Aldermen met; in the Representatives' Hall the Common Council. The preceding extracts from Bowen and Shaw, with the accompanying pictures, fully illustrate this occupancy, which lasted for ten years, until 1840, and which, indeed, is recollected by many of our citizens.

To complete the record we copy the following from the third edition of Bowen's "Picture," dated 1838, when there was already a discussion about leaving the building: —

City Hall. — The first building for governmental business was erected at the head of what was then called King-street, about 1658. It has been twice burnt. The last time it was destroyed was 1747, and it was repaired in the following year nearly in its present form. The building is in length 110, in breadth 38 feet, three stories high, finished according to the Tuscan, Doric and Ionic orders. Till recently it was called the "Old State House." The latitude of this building is very near 42 deg. 21 min. north; the longitude is 71 deg. 3 min. 30 sec. west from Greenwich, in England.

After the Revolution, it was the place of meeting for the General Court, till after the completion of the State House near Beacon Hill. From about that time, to the year 1830 (thirty years), the lower floor and cellar were used by various tradesmen, Insurance Offices, etc.

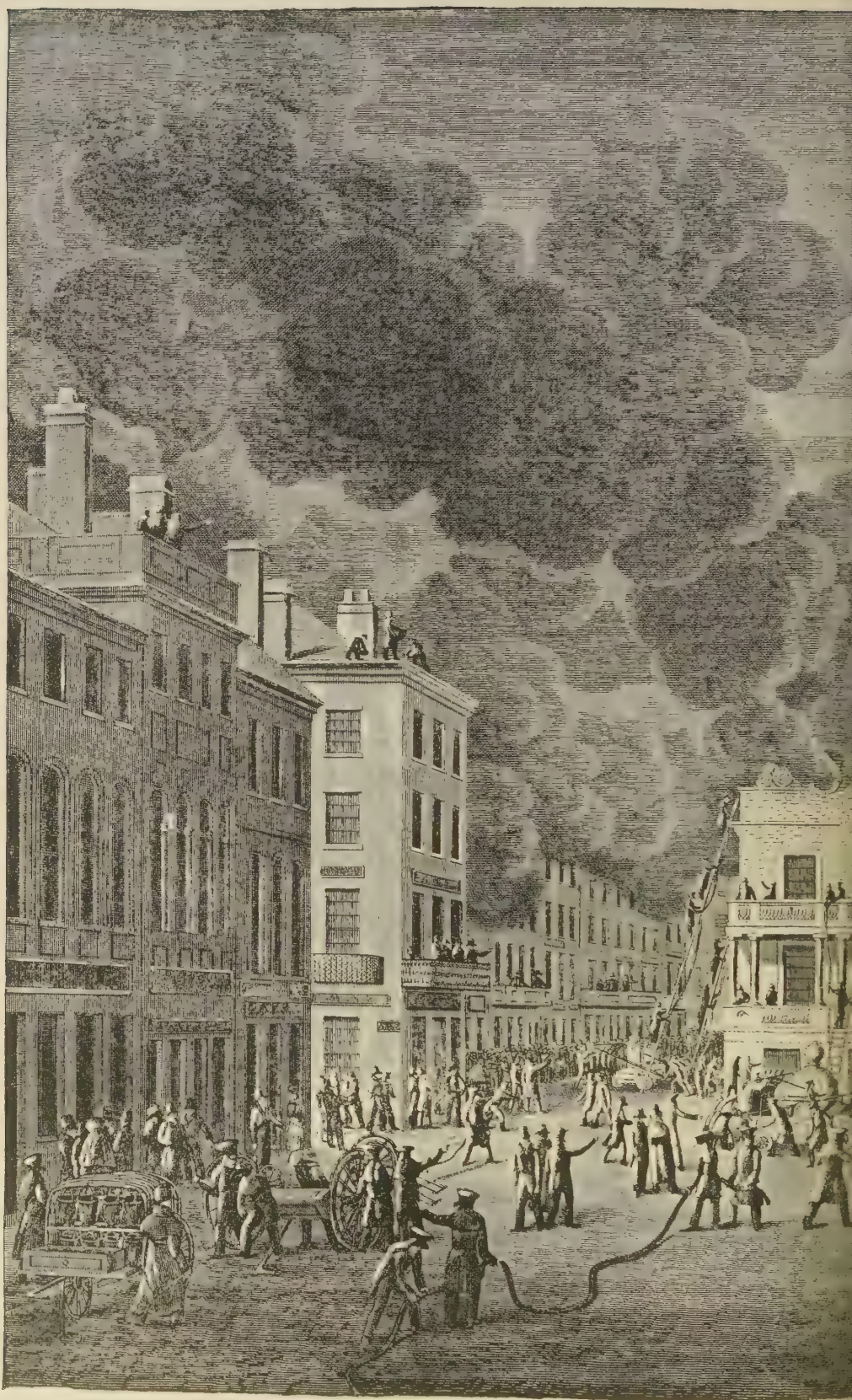
On the 17th Sept., 1830, having been thoroughly repaired, it was, by an ordinance of the City Government, called the "City Hall," — by which name it has since been designated. It stands

at the head of State street and on the line of Washington street, *the Broad* way of the metropolis of Massachusetts, having a tower overlooking most of the city and harbor, rising from the centre of the roof. The fronts on Washington and State streets have each a portico. Being in the very focus of business and nearly in the centre of the city, the use to which this venerable pile is now devoted appears to give universal satisfaction.

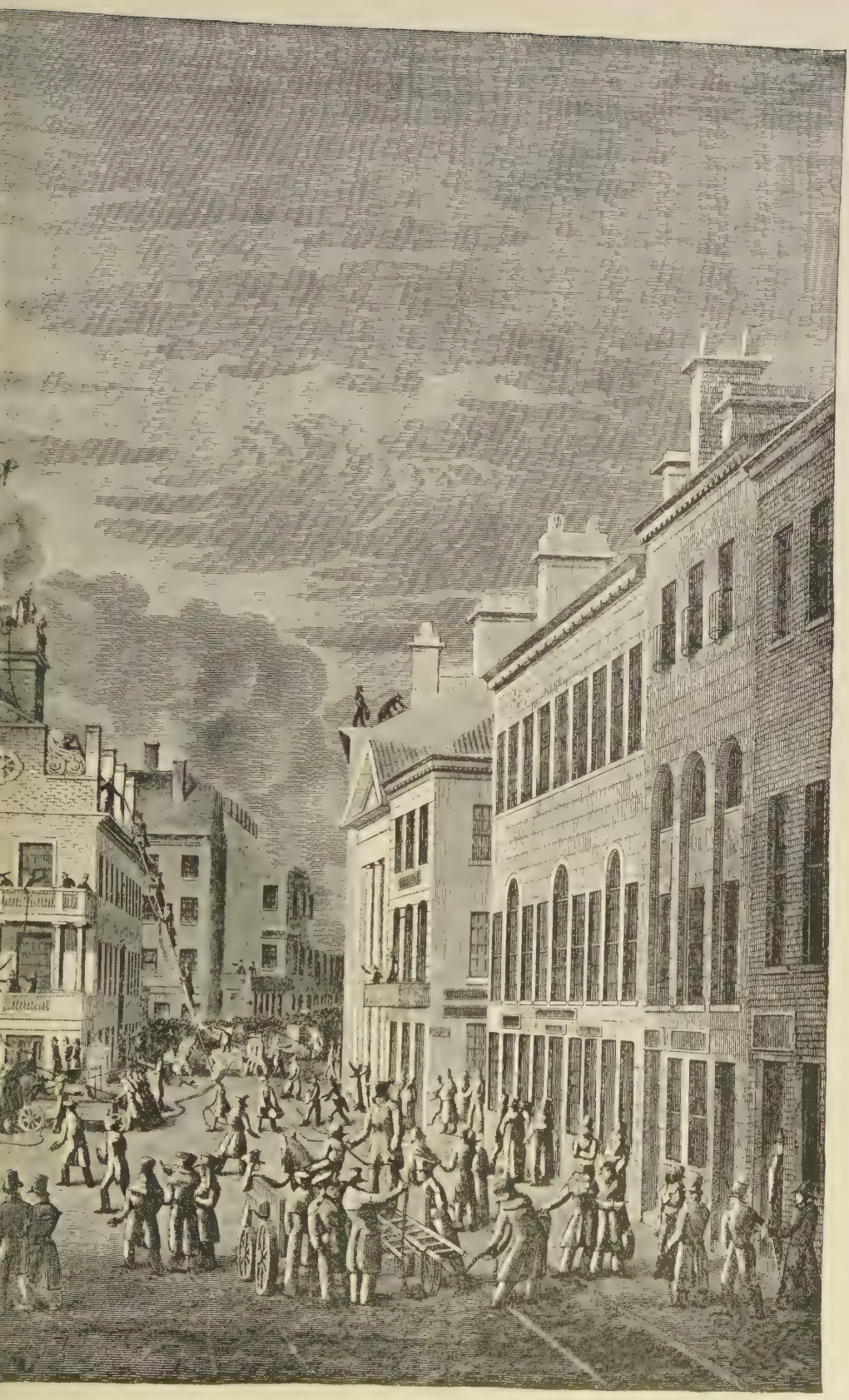
On the first floor are three large rooms; that facing Washington street is the Post-Office. At the other extremity, looking down State street, is Topliff's News Room, one of the best conducted establishments, for the accommodation of merchants, in the United States. The middle room, a lofty apartment, supported by pillars, is the Merchants' Exchange, and common thoroughfare to the public offices.

From this central room is a flight of winding stairs, leading to a suite of apartments in the second story. Directly over the Post-Office is the Hall of the Common Council, in which they ordinarily meet on public business. In the opposite end of the building is the Hall of the Mayor and Aldermen. In this room the chief Magistrate of the city, together with the City Clerk, remain through the day, in the discharge of their ordinary duties. The Board of Aldermen hold their meetings, also, on Monday evenings. Around the circular area of the stairs are a series of Offices, viz., the Auditor's, Treasurer's, Assistant City Clerk's, Clerk of Common Council, and the Health Office, which latter accommodates the City Marshal, Superintendent of Burial Grounds, Physician of the Port, Captain of the Port, Captain of the Watch, Superintendent of Lamps, and the Commissioner of Streets.

Another flight of stairs leads to the third story, in which is the Office of the Chief Engineer of the Fire Department, City Land Commissioner, Messenger, a Committee Room, and a large Hall, in which is a recently organized public Vaccine Institution, for the gratuitous inoculation of the poor.



View of the Fire in



m Salmon's Picture.)

The whole is lighted with gas, as well as the lamps at the four corners of the building. Besides being ornamental to the city, the concentration of so many important offices under one roof renders the City Hall an object of peculiar interest.

On the 21st of November, 1832, about five o'clock in the morning, this ancient building, the scene of so many interesting events, again took fire from an opposite building, under the stool of one of the Lutheran windows, which soon communicated with the under side of the roof, and had it not been for the uncommon exertions of the fire department it must have been completely prostrated in a little time. As it was, however, the damages were easily repaired. The appropriation of the Council for the purpose was $3,500.00. No papers of importance, were lost, and the curious records of the city, from its first settlement, for a third time, were safely rescued from a devouring element.

In Hales' "Survey of Boston and Vicinity," the measures of distance are reckoned from this building.

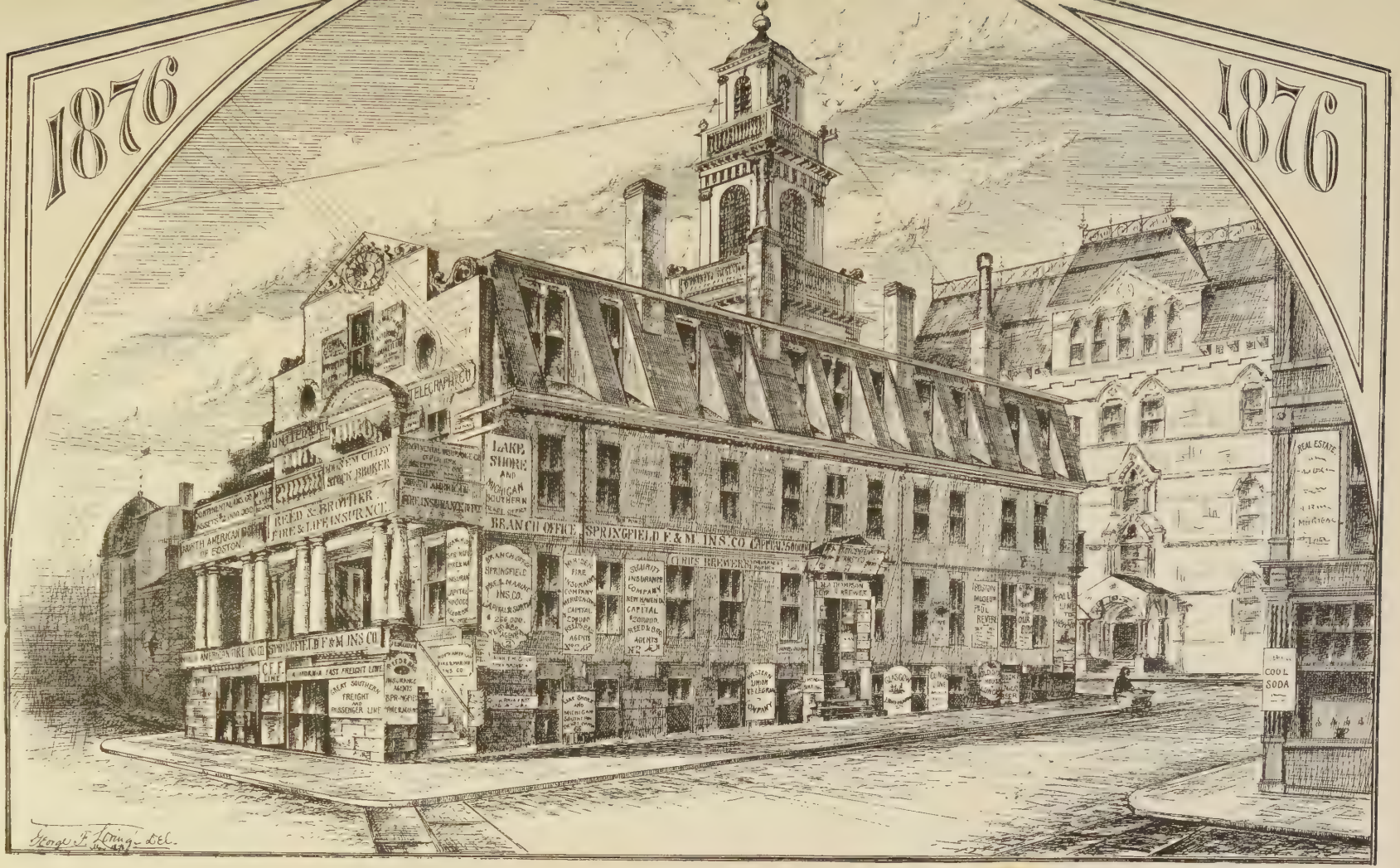
The building was, for a third time, put in peril, when, on the 21st of November, 1832, the fire in a building opposite was communicated to the roof of this building, but, happily, was soon arrested. Salmon's picture of the event is familiar to us all, having been engraved on the diplomas of the Fire Department. Surely we may say of the venerable tower, almost in Longfellow's words, —

"In the market-place of Bruges, stands the belfry old and brown,
Thrice consumed and thrice rebuilded, still it watches o'er the town."

After the removal of the City Hall to its School-street site, this building was again abandoned to

business purposes, and, in the hands of successive lessees, it rapidly deteriorated. A hideous mansard roof disfigured its external lines; new partitions obliterated for the time the fair proportions of these halls; signs, telegraph wires and poles in countless number contributed to the shameful defacement. The annexed copy of an engraving issued at that date portrays the wreck better than any description can. So completely were the memories of the site forgotten, and so arrogant were the fancied demands of commerce, that, in 1875, it was almost decided to pull down the building. Happily better counsels prevailed, and the building was spared, though even then it received a fresh injury in the form of a huge stairway cut through the walls of the eastern end, as shown in the picture of that date. In 1881, the City Council authorized that work of restoration, which, on its completion, is to-day submitted to your consideration.

A complete account of what has been done is to be read in Appendix G, furnished by the City Architect. It will be enough to state at present, that we now behold substantially the same halls which echoed the eloquence of Adams, Quincy, Otis, and Warren, and which witnessed the baffled intrigues of Hutchinson and Oliver, and the unsuccessful plans of Gage and Clinton, Howe and Burgoyne.



Old State House in 1876, showing Mansard Roof and Signs.

When, in 1830, Harrison Gray Otis, then mayor of the city, stood here to welcome the inauguration of his government, he thus addressed the Council in regard to this building: —

It exhibits no pomp of architectural grandeur or refined taste, and has no pretensions to vie with the magnificent structures of other countries or even of our own. Yet it is a goodly and venerable pile; and with recent improvements is an ornament of the place, of whose liberty it was once the citadel. And it has an interest for Bostonians who enter it this day, like that which is felt by grown children for an ancient matron by whom they were reared, and whom, visiting after years of absence, they find in her neat, chaste, old-fashioned attire, spruced up to receive them, with her comforts about her, and the same kind, hospitable, and excellent creature whom they left in less flourishing circumstances. But to this edifice there is not only a natural, but "a spiritual body," which is the immortal soul of Independence. Nor is there, on the face of the earth, another building, however venerable for its antiquity, or stately in its magnificence, however decorated by columns and porticos, and cartoons, and statues and altars, and outshining the wealth of Ormus or of Ind, entitled in history to more honorable mention, or whose spires and turrets are surrounded with more glorious halo than this unpretending building.

I refer you to the day when Independence, mature in age and loveliness, advanced with angelic grace from the chamber in which she was born into the same balcony, and holding in her hand the immortal scroll on which her name and character, and claims to her inheritance were inscribed, received from the street, filled with an impenetrable phalanx, and windows glittering with a blaze of beauty, the heartfelt homage and electrifying peals of men,

women, and children of the whole city. The splendor of that glorious vision of my childhood seems to be now present to my view, and the harmony of that universal concert to vibrate in my ear.

We, gentlemen, have now become, for a short period, occupants of this Temple of Liberty. Henceforth, for many years, the City Government will probably be here administered. . . . May we, and those who will succeed us, appreciate the responsibleness attached to our places by the merit of our predecessors; and though we cannot serve our country to the same advantage, may we love it with equal fidelity. And may the guardian genius of our beloved city forever delight to dwell in these renovated walls!

After the lapse of half a century we assemble to renew these pious labors, and to repeat his fervent prayers for their success; but the times are more propitious for us, since the present generation has been taught anew the necessity of perpetually cultivating those patriotic virtues which alone can animate a nation in times of adversity.

Twenty years have passed since the assembled citizens of Boston were again aroused, from the balcony of this chamber, by the eloquence of those speakers who uttered the cry, "To arms!"

God grant that in our day that appeal may never again be made; but should the necessity arise, it must be made to a community which has been daily familiar with the lessons taught by the memories of these halls as well as of the "Cradle of Liberty," — Faneuil Hall.

"Here the child Independence was born!" and what untold glories in the future that birth portended! The independence for which our fathers fought was freedom of thought, speech, and action in every land and in every generation. The chain which they broke was not simply that of Great Britain over America, but the greater fetters of usurped authority over the bodies and minds of millions in other lands. To our success is to be attributed whatever liberty has been achieved for the suffering nations of Europe, or for the long-enslaved victims of unwarrantable oppression in our own land. I had thought I had recited all the stirring events connected with this building, but I pause to add that it afforded a temporary shelter to William Lloyd Garrison, as he was unwillingly rescued from the misguided rage of a pro-slavery mob. Let us rejoice that we to-day can assert, that, among the results of that Independence which was first proclaimed on this spot, has been the purging of the Great Republic of the anomalous stain and reproach of domestic slavery.

And, surely, if we have, at so great cost of treasure and blood, expiated our national sin, we may turn, with expectant gaze, to our sister nations for a similar sacrifice. The independence which we inculcate demands that, wherever, under any professed form of law, the labor of the peasant profits only his master,

that iniquity shall cease, — whether it be in the familiar case of Ireland, whose wrongs meet with so prompt a response in kindred bosoms here, — or of Russia, where the lurid torch of Nihilism reveals the misery of untold millions, — or wherever else the wretched serf looks eagerly to the land of promise on this side of the Atlantic.

Fellow-citizens, so long as we maintain the sacred fires upon the altars, we may claim the right to be especially favored by the divinity. I cannot allow myself to dwell upon the possibility of any future surrender of these walls to any purpose less appropriate than that we now celebrate. I cannot anticipate any decrease in the prosperity or the public spirit of our beloved city. I can only predict that future generations, for centuries to come, will visit this spot and will remember us thankfully for what we have this day done.

To you, Mr. Mayor, as the highest representative of the city, I now transfer the care and custody of the Old State House, felicitating you upon the honorable duty, and congratulating the city that it devolves upon one so well qualified, by assiduous study, to appreciate the value of this acquisition.

At the conclusion of Mr. Whitmore's address, His Honor Mayor Green said: —

MAYOR GREEN'S REMARKS.

Mr. Chairman: — The Old State House to-day comes back to the city, and as the chief executive officer I greet the venerable structure with a warm and hearty welcome. After an occupation of many years for purposes of general business, these halls are now to be used for the reception and preservation of historical objects of local interest. The committee of which you are at the head, Mr. Alderman, having this matter in charge, deserve the thanks of the community, for the way in which it has been done. I know full well that the work has fallen largely on the shoulders of the Councilman who has given us this morning his interesting and instructive address, and it is through his untiring zeal as an antiquary that this plan has been brought to a successful issue. I sympathize most warmly with him in the expression that the use we now give to these halls may be the permanent one. He has told how this building was erected as a town-house, and traced its history from the earliest days to the present time. Its close connection with the various political events of our city and State makes it a conspicuous monument in our local annals.

The formal dedication of a public building is a custom of comparatively modern times. The founders of New England were too busy to indulge in mere formalities; and, even if they had the time, they were apt to look upon such observances as idle and frivolous. They regarded the various purposes to which a building was put as in themselves a sufficient dedication; and for this reason they avoided any special ceremony to emphasize its objects or uses. While it is true, then, that this structure was never formally dedicated, it is equally true that it was consecrated by all that was high and noble in patriotic service, through the words that were spoken and the deeds that were inspired within its walls.

The political town-meeting is an outgrowth of New England life, and it has been the very cradle of American liberty and independence. It originated with the first comers and has been kept up by their successors till the present time. The freemen of the several towns came together in public meeting to discuss and settle questions of general interest. They chose town officers, to whom was delegated the power to manage their civil as well as ecclesiastical affairs. It was at such gatherings that a free and full recognition of popular rights was first made in this country, and the very foundation and corner-stone of our present political system laid. The best insight of the forces that developed local self-gov-

ernment is to be found in the action of such meetings. The causes that brought about the separation of the American colonies from the mother country were ripening during many years, but they were kept alive and active by these public assemblages. Boston was the largest and most influential town on the continent, and was always ready to take the lead in public affairs. When she spoke, her voice was heard with no doubtful sound, and she had all New England for an audience. Her utterances were given from this building as well as from Faneuil Hall and the Old South Meeting-house. These three structures are full of historical reminiscences and associations, and I envy not the man who can approach any one of them with ordinary feelings. Rude though they are in external form they represent in their traditions the highest form of religion and patriotism, as understood by the framers of our government. He lacks some of the human sensibilities whose heart is not thrilled, and whose emotions are not quickened, when he enters their portals.

I do not forget the fact that this building was occupied by the municipal authorities during a period of ten years. On Sept. 17, 1830, the two hundredth anniversary of the settlement of Boston, the City Government, under the Mayoralty of Harrison Gray Otis, took possession of these apartments, and used

them until March 18, 1841. It was under this roof that the administrations of Charles Wells, Theodore Lyman, Samuel T. Armstrong, and Samuel A. Eliot were carried on; and it was while Jonathan Chapman was Mayor that the city offices were again removed to the City Hall, standing between Court square and School street. Whatever may be the fate of other public buildings, let us cherish the hope that the Old State House may stand as a connecting link between the provincial and national periods of our country's history, and that it may continually remind us of the unselfish devotion and hard struggles of the men who laid the foundation of our present government.

Alderman Hersey. — I recognize among our honored guests to-day, the face and form of him whose memory extends far back into the past, and who, I know, can give us some personal reminiscences connected with this building. I allude to the Hon. Marshall P. Wilder.

REMARKS OF HON. MARSHALL P. WILDER.

I did not expect, Mr. Mayor, and Mr. Chairman, to be called upon here to say a single word to-day. At my time of life, and under this oppressive heat, my words must be very few. But I rejoice from the bottom of my heart that I am able to be here on this

consecrated spot, and participate in the ceremony of the restoration of the Old State House.

I say my words must be few; but I desire to tender to His Honor the Mayor, and to the City Government, the thanks of the Historic-Genealogical Society, in their behalf and in my own; I desire to thank you for the wisdom of making the appropriation which has placed again, as we believe, much in its old style, this building of former days; and I desire to thank Mr. Whitmore for his energetic, enterprising, persistent, and successful labors in bringing again into this form, this structure, so ancient, and so renowned in the history of this city, because of the events, so graphically described by Mr. Whitmore and His Honor the Mayor, which transpired upon this spot. Here Independence drew its first breath. This spot, now consecrated by the restoration of this building, will perpetuate the history of those men, who, more than any others, led in the American revolution, and gave to the world the first great, free, and independent nation on earth.

The work has been well accomplished. Nothing could be more appropriate; and the provision made for it by the City Government, I am sure you will all say, could not have been more judiciously expended. For I hold that next to training the spirit for the life eternal, there is no obligation more solemn than that of perpetuating to future genera-

tions the principles and virtues of those noble men who gave to the world this great republic, — principles and virtues upon which must ever rest the happiness and prosperity of all our people.

This ended the formal exercises. The following letters, addressed to the Chairman of the Committee, Alderman Woolley, were not read, owing to his absence; but they are worthy of preservation in the history of the celebration: —

COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, July 8, 1882.

MY DEAR MR. ALDERMAN: — I thank you for your kind invitation to the re-dedication of the Old State House, with its interesting associations. I am unable to accept on account of engagements at the same hour, but I beg to send my kindest wishes for the occasion.

Very truly yours,
JOHN D. LONG.

WM. WOOLLEY, Esq.

NAVY YARD, BOSTON,
COMMANDANT'S OFFICE, July 10, 1882.

DEAR SIR: — I have had the honor of receiving your kind invitation to attend at the Old State House to-morrow to participate in the ceremonies of the re-dedication of that ancient and interesting structure. I greatly regret that my health is such that I will not be able to attend.

With many thanks to you and to Mr. Whitmore, I have the honor to be,

Very respectfully yours,
O. C. BADGER, *Commodore, U.S.N.*

WILLIAM WOOLLEY, Esq.,
City Council, City Hall, Boston.

APPENDICES.

APPENDICES.

APPENDIX A.

Copies of Original Papers, in the possession of the Massachusetts Historical Society, relating to the Erection of the Town House in Boston in 1657.

1.

POWER CONFERRED BY THE COMMITTEES FOR THE TOWN HOUSE — 1657.

Wee whose names are vnder wrighten having full power given vs by the Town of Boston to Agree with workmen, & in their behalfe to Engadge the Town, In the Payment of any sum or sums for the building Erecting & Compleating of A house for the Town both for the forme & dimentions &c. according as we shall Judge meet, They the s^d^ Towne having Engadged themselves to own & stand by vs and pforme what promises Covenants or Engadgm wee should make in order to the accomplishing of the premises, And to facillitate the s^d^ worke we the s^d^ subscribed doe make choyce of M Edward Hutchinson & John Hull in o behalfe to Agree & Compound with workmen & Engadge paym^t^ in everie respect for the s^d^ worke & we doe hereby oblidge o^r^ selves to stand by, own, & performe what the s^d^ M^r^ Ed: Hutchinson & Jn Hull Soe deputed shall doe or Engadge themselves in as iff it was the personall act of everie one off vs & heervnto we subscribe o^r^ hands, by this binding o^r^ selves likewise to own what the s^d^ prtyes have allridy done in the s^d^ worke signed this 31 of the 6^th^ month 1657.

Townesmen Commissioners

THO: MARSHALL
SAMUEL COLE
WILLIAM PADDY
JOSH: SCOTTOW
JER: HOWCHIN

2.

AGREEM^T^ FOR THE TOWN HOUSE — 1657.

Boston, August 1, 1657.

Wee whose names are vnder wrighten Being chosen by & in behalfe of the Towne of Boston, to bargain & Contract with some able workmen about A

house for the Town, we have bargained & Contracted, & by these presents doe bargain & Covenant with Thomas Joy and Bartholomew Bernad of Boston; & the s^d^ Thomas Joy & Barth Bernad, are heerby bound & doe oblidge themselves vnto the s^d^ Town of Boston (& in vn [to] In theire behalfe) that they will Prepare & Erect, a very substantiall and Comely building In the place Appointed by the s^d^ Town; The dimentions of w^ch^ Edifice shall be sixty six foot in Length, and thirty six foot in Breadth from out side to out side, set vpon twenty one Pillers of full ten foot high between Pedestall & Capitall, & well brased all four waies, placed upon foundation of stones in the bottome. The wholl Building to Jetty over three foot without the Pillers everie way: The height of the s^d^ House to be ten foot betwixt Joynts above the Pillers, and a halfe storie above that with three gable Endes over it vpon each side: A walke vpon the Top fourteen or 15 foote wide with two Turrets, & turned Balasters and railes, round about the walke according to A modell or draught Presented to vs, by the s^d^ Tho: Joy, & Barth: Bernad. The s^d^ Tho: Joy & Barth. Bernad Likewise finding things necisarie and meet for the s^d^ Building viz: Timber in in everie respect & of everie sort, substantiall & meet according to Proportion & Art, Plank for the sides & ends three Inch thick,* well groved into one another, and into the timbers allso an Inch and halfe; well plained and smoothed on Both sides, two Inch plank for the lower floor, and full Inch for the vpper floor, Both smoothed, and vpon the walk duble boarded and well groved; the Rooff well boarded & shingled, with gutters sufficiently made.

Bringing all to the Place, Erecting finishing & Compleating the whole Edifice viz The Frame, foundations, Floores, staires (viz Two pair halfe paced staires & turned staires vp into the walke) doores, window Cases & Casements mantle peeces Inclosures Pertitions † &c The wholl Edifice to be Erected, by the thirty daye of the fourth month called June next ensuing the date heeroff; and Covered and shingled within six weekes after that. The Town finding all the Iron worke, as nailes hookes hinges &c. glass with glasing and Lead for the Gutters masonrie worke as the chimnies, foundation of the Pillers with stone brick & Lime belonging to the same the affo^r^s^d^ Tho: & Barth: all the other worke as affo,^sd^ The Town finding help at the raysing.

In consideration of the premises we doe heerby oblidge ourselves (according to order & in behalfe of the s^d^ Town of Boston affors^d^) To give & Assigne over vnto the s^d^ Tho: Joy & Barthol: Bernad or to either of them or their assignes the three Hund: Pounds w^ch^ is that Part of the Legacy of Cap^t^ Rob Keyne (deceased) designed & bequeathed vnto the s^d^ Town in his Last will for ther vse, and also one hund. Pound more we heerby oblidge o^r^selves to Pay or Cause to be paied vnto the s^d^ Thomas & Bartholomew or their Assignes In good English goods at price Currant, and likewise to doe our vttmost that one fiffty pound of this above mentioned paym^t^ (viz out of the thre Hun^d^) may be made in mony for the more lively cavsing an end of the affo^r^s^d^ worke.

The time w^ch^ Payment shall be as followeth viz: one Hund. Pound at the Bringing of the Timber to the Place A second Hund: at the raysing A third Hund: at the inclosure & Covering A fourth at the finishing and Compleating vnto all these premises aboves^d^ we doe heerby Joyntly & severaly mutualy & Interchangeably bind o^r^selves by o^r^ hands & seales this first of August, 1657.

We doe also engadge that the three Hund: pound in the Legacy above s^d^ shall be made good vnto the s^d^ workmen Thomas & Bartholomew.

Witness heer vnto

JOSEPH NEWGATE
JAMES BROWNE
HENRY POWNING

EDWARD HUTCHINSON [seal]
JOHN HULL [seal]

* Only we alow of Two Inch plank for the sides & ends above the Plates & beames.

† There is to be both Roomes from the chimnies closed on both sides and one Cross partition in one of the Roomes; beside the stair case.

3.

COPY OF THE SUBSCRIPTION PAPER FOR THE FIRST TOWN HOUSE IN BOSTON, ERECTED BETWEEN 1657 AND 1659.

Whearas thear is giuen a considerabl sume by Capt Kayne towars the Bulding of a towne house wch sum will not ataine the Bulding wch he mentioneth in his will, now considering the vsefullnes of such a structure we whose names are vnder written, doe ingag or selues or heyres executors for to giue towards the abou sd hous and alsoe a condit in the market place the severall sumes vnder written.

		£ s	
	Jo: Endecott	2—10—00	
17. pd	Ri Bellingham in Country pay	10—00—00	pd
pd	Edward Tynge in Corne	10—00—00	pd
pd	John Euered in goods and corne	010=00—00	pd
pd 46 s	Peter Olliuer in goods and provisions . . .	10=00—00	
	John^{s} Barrett: in goods: or corne . . .	03—00—00	
	d. 29 Aug. 1658		
pd	James Oliuer provided there be a Cundit withall in goods and provisions eqelly	12— 0—00	pd
	Will Paine in goods and provisions . . .	15 . 00 . 00	
pd	Richard Parker in goods and provisions . .	10—00—00	pd
pd	Nathaniell Williams in goods	03—00—00	pd
pd	Sarah Parker in provisions	05—00—00	pd
pd	Henry Powning in goods	02—00—00	pd
pd	John Cogan in Corne . . . . . } [ ] five pound . . . . . }	05—00—00	pd
paid	Theodore Atkinson will give in hats . . .	005 : 00 : 00	pd
	Tho Howkings	02 0— 0	
paid	John Hull In English goods five^{bs} . . .	05—00—00	pd
pd	Thomas Clarke in provision or goods . . .	04—00—00	pd
pd	Robt Turner	5— 0— 0	pd
paid	Richard Cooke in provisions	03 10 00	pd
pd	Robert Swift	02 . 10 00	pd
paid.	Samuel Hutchinson in wheat	5 . 00—00	pd
paid	Josh Scottow in pvision or goods	5 : 00—00	pd
pd	Will^{m} Hudson will: pay in bricks lyeme		
pd	boards [ ] or timber the some of . . .	10=00=00	pd
	Hezekiah Usher: will pay 2 In English		
pd	Goods or equivolent, twentye: poundes,		
paid	prouiso: y^{t} y^{e} market house bee Errected		
	in y^{e} markett place· & a Cunditt. . . .	20=00=00	pd
	W^{m} Dauis will pay in goods & corne Fifteene pounds		
paid	provided y^{e} market-house be eerected in y^{e} markett		
	place & a conduitt also raised & Finished . .	15 — —	
pd	Thomas Buttolph	02—00—00	
paid	James Penn	05—00—00	
paid	Jacob Sheafe in provision & goods . . .	12—00—00	
paid	Tho: Lake ½ In English-goods & ½ In provisions .	09—00 : 00	
pd	Isaak Waker in English goods or provisions . .	03—00—00	
paid	John Sunderline 3£	03—00=00	
[ ] pd	Robt: Pateshall, in planke or boards . . .	05 : 00 : 00	
paid	Thomas Matson	1— 0— 0	
paid	John Williams	0—10— 0	
paid	Thomas Edsell	00—10— 0	
paid	Thomas Bligh	00—15 00	

		£ s
paid	Richard Gridley	02—00—00
paid	John Button	05—00— 0
	Benjamin Negus	
	James Eueritt in Flower	01—00—00
	Robt Batterly	00—15—00
paid	John Coney	00—15—00
paid	Samuell Mattocke	00— 7—00
paid	Rich[d] Stanes	00—10—00
paid	Rowland Story in Lewtenant Cooks hand	01 : 00 : 00
paid	Ri Wayte	02—00—00
paid	Phillip Whorton	02—00—00
paid	Augusten Clement	1— 0— 0
paid	Richard Woodde in provision [ ]	01— 0— 0
paid	John Phillips	03— 0— 0
paid	Tho Emons	1— 0— 0
paid	Thomas Littell thre dayes worke	00—10— 0
	Humphrey Bradshaw thre dayes worke	00—10— 0
	Joseph Bonde ten shilings by Samell Lemist	00—10— 0
	George Brome a bushel wheate	00—04—00
paid	William Paddy	12— 0— 0
paid	Henry Kemble	00—10— 0
paid	Thomas Makepeace	01—00 . 0
paid	Joshua Hewes	00—10— 0
	Ffrances Smith	00 . 10—00
paid	Francis Douse	00—09— 0
paid	John Pierce	s4—00 —
paid	Simon Eire	1 . 10 . 0
paid	Comfort Starr	01—00—00
paid	Henry Phillips	05—00—00
paid	Henry Shrimpton Corne wood	10—00—00
paid	John Lowel	03—00 00
paid	George Munioy three pounds	0[illegible]—00—00
paid	Jno. Joyliffe	03 . 00 . 00
paid	Amos Richardson	02 : 00 . 00
pd	Edmond Grenleff	0—10— 0
pd	Edward Porter	1— 0— 0
paid	Nicholas Phillips	0—10— 0
pd	Thomas Harwood	1—00— 0
paid	Thomas Brattle	5— 0— 0
paid	Thomas Baker in Iron workes	01—00— 0
paid	John Biggs in Shingle or worke	002—00—00
paid	Jo: Marshall in shoes	01— 0— 0
paid	Henry Alline [ ]	01—00—00
paid	Hugh Drury	01—00 0
paid	John Collens	1— 0— 0
paid	Thomas Scotto	1— 0— 0
paid	Nathanell Thorn	0—10— 0
paid	John Pears	1— 0— 0
paid	William Reade	00—10—00
paid	Will. Tay	00—10—00
paid	Jo[n]. Blacklach	01—00—00
paid	John Clough	00—10—00
paid	Sam[ll] Davice	00—05—00
paid	Samuell Cole	02—00—00
paid	Christopher Gibson	02—00—00
paid	Robert Nanney	02—00—00
paid	Henry Bridgham	10—00—00
paid	Thomas Waker	12—10—00

		£ s
paid	Nathanell Reynolls	01—00 00
	John Hawkines tobaco	01—00—00
paid	Arthur Masson	00—10—00
paid	Ann Carter 10s	00—10 . 00
paid	James Dauis by Tho: Joy 6s & 4s more	00—10—00
paid	Daniel Turill.	01—00—00
paid	Thomas Fitch	00—10—00
paid	Edmund Jacklin in glass or worke if I be in the contry when the house is to be glassed	01—00=00
paid	William Gibson	00—05—00
paid	Jeremy Castine	01—90—00
paid	Edmund Jackson by Thomas Fay	01—00—00
	Miells Towne in lether	00—5s—00
pd	William English — in shoes	02—00—00
paid	Joseph Howe Twenty Shillings	01— 0— 0
paid	Samuel Norden in shoes	00—10— 0
pd 10s	Robert Nash in worke	01—10—00
paid	Mathew Barnes — paid 1—9—3	1—10—00
paid	Thomas Dewer	01—00— 0
paid	William Corser	00—10— 0
paid	Bartholomew Cheever 30 s	01—10— 0
	Henery Messenger — paid	0—10— 0
	Will. Colburn in [ ] or provision paid 16s	3 . 00 00
paid	Edward Goodwin	0—06—00
pd	James Johnson in his Comodityes	02 : 00 : 00
pd 5s	John Newgat promise to give five pound & in [ ] the preveledg of our [ ]	10—00—00
	Thomas Bumsted of Boston promise	1—00—00
paid	Natha. Duncan	2—.—.—
paid	Peter Duncan.	1—10—00
paid	John John Wiswall.	02—10— 0
paid	Joseph Wise	2—00—00

APPENDIX B.

VOTES AND ACTS IN REGARD TO REBUILDING THE TOWN HOUSE AFTER THE FIRE IN 1711.

To his Excellency Joseph Dudley Esqr Capt General & Governour in Chief of Her Majestys Province of the Massachusetts Bay, the Honoble the Council and the Representatives in General Court Assembled.
October 17. 1711.

The Humble Representation and Addresse of the Select Men of the Town of Boston.

May it please your Excellency
and Honours

Amidst the Awfull Desolation & Consumption of Many Dwellings & much of the Substance of this Town by the fiery dispensation of Providence, It is

a particular humbling and Afflictive Article That the House for Publick Meetings on Civic Occasions for the Province, County & Town, viz^{t} for the Meeting of the General Assembly, the Holding of Councils, & Courts of Justice, & Town Meetings, is new lying Waste in its Ashes.

We account it our Duty to lay the Consideration thereof before your Excellency & this Hono^{ble} Assembly and humbly pray your Advice & Direction for the Restoring & Rebuilding of the House for those Publick Uses & about the place where to set the same

That what is most Honorable for the Government may be done therein.

And Craue leaue to Subscribe
Your Excellcy & Honours
Obedient humble Servants
p Order and in the Name of the s^{d} Select Men
JOSEPH PROUT Town Clerk

In the House of Representatives October 22. 1711. Read &

Ordered that Samuel Appleton Josiah Chapin Jn^{o} Clarke James Warren Esqrs, Major Thomas Fitch Capt Simon Davis & Capt. Samuel Phipps be a Committee to Joine with such as the Honoble Board shall appoint to Consider of this Addresse & Report their opinion of what is proper to be done therein.

Sent up for Concurrence.

JOHN BURRILL, Speaker.

Die pred: In Council

Read and concurred. And Elisha Hutchinson Samuel Sewall Nathl Payne & Thomas Noyes Esqrs Named of the Committee for the affair afores^{d}, Elisha Hutchinson Esqr to Appoint time & place

ISAAC ADDINGTON Secretary.

The Above Committee Advise that there be a House built in or Near the place where the Old Town House Stood for the Uses mentioned in the Memorial as convenient as may be without incommoding the Street *The breadth not to Exceede thirty six feet the length So as to be Convenient for the ends Mentioned in the Addresse That a Committee be Appointed by this Court to Take Care for the building as speedily & prudently as may* be The Charge thereof to be borne the one half by the Province, the other half by the Town of Boston & County of Suffolk in equal proportion.[1]

By Order of Major part of the Committee
ELISHA HUTCHINSON.

Nov^{r} 9th 1711. In Council Read & sent down

In the House of Representatives Nov^{r} 9th. 1711.

Read & Accepted with the Amendments.

JOHN BURRILL Speaker.

Novembe^{r} 10. 1711. In Council Read and Concurred

And that Elisha Hutchinson and Penn Townsend Esq^{rs} with such as shall be Named by the Representatives be a committee for the affaair. The Committee to Advise with his Exc^{xy} & such skillfull Gentlemen they may think fitte to be consulted with about the Model of the House

Sent down for Concurrence ISAAC ADDINGTON Secretary.

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[1] A copy of this report preserved by the Massachusetts Historical Society, is printed in the City volume on the Dedication of the present City Hall in 1865. There is on it this memorandum: "Note, That the House is for Publick Meetings on Civil Occasions: for the Province, County and Town, viz, for the Meeting of the General Assembly, the Holding of Councils and Courts of Justice, and Town meeting.

In the House of Representatives
Novembr 10. 1711. Read & Concurred And Addington Davenport Samll Thaxter Esqrs & Capt. Phipps be Named for the office with libertie to the Town of Boston to Joine Two Persons More

JOHN BURRILL Speaker

Agreed to & Consented to by Jos: DUDLEY
General Courts order for
Rebuilding the Town House
in Boston Novemr 1711
Massachusetts Archives. Book 113. pp. 618 619.

In the House of Representatives
Novr 9th 1711.

Resolved That the Sum of fforty Pounds, be Allowed, out of the publick Treasury to Mr Benja: Johns, for the use this Court makes of his House, in a year, beginning the 17th: Octor last (if they improve it so long) Fifteen Pounds thereof to be now drawn out of the Treasury, the Remainder as this Court shall order.

Sent up for Concurrence. JOHN BURRILL Speaker

In Council

Novr 10th 1711.

Read and concurred

IsA: ADDINGTON Sectr'y.
Book 48 p. 426

Court Records. p. 244. Passed in House of Representatives, read and concurred.

Nov. 7 1712.

Ordered that it be an Instruction to the Committee appointed to build the Province & Court House that they fit the East Chamber for the Use of His Excellency the Governor & the Honble the Council, the Middle Chamber for the House, the West Chamber for the Supr & Infr Courts.

Ordered that there be but two offices below stairs in the Province & Court House now Building in Boston one for the Secretary the other for the Register of Deeds in the County of Suffolk, consented to J. DUDLEY.

In the House of Representatives.
March 21: 1711.

Ordered That It be an Instruction to the Committee appointed to Build the Court House or Exchange in Boston, That It be not more than One Hundred & twelve, nor lesse than One Hundred & ten ffeet in length.

Sent up for Concurrence. JOHN BURRILL Speaker

In Council.

March 21. 1711. p. 425.

Read and Concurr'd

IsA ADDINGTON Secry

At a Council held at the Council Chamber in Boston upon Saturday the 23d of August 1712.

The Committee for overseeing the building of the Court & Town House in Boston moving for a further supply of money

Advised & consented That a Warrant be made out to the Treasurer to advance & pay to Mr William Payne of the said Committee and deputed their treasurer the further sum of Five hundred pounds over and above the Five hundred pounds already drawn for at twice to be imployed for and about the said Building he to be accomptable for the disposal of it accordingly.

Council Records, 1708 to 1712, page 598.

At a Council held at the Council Chamber in Boston upon Friday the 15th February 1711.

The Committee for the rebuilding of the Town & Court House in Boston now in hand with, proposing to have two hundred pounds advanced towards the sd Building to be put into the hands of Mr William Payne by them deputed a Treasurer for paying of the workmen &c.

Pursuant to the Grant of the General Assembly, Advised & consented That a Warrant be made out to the Treasurer to advance and pay the sum of Two hundred pounds to the said Mr Payne for the use aforesaid upon Accompt accordingly. Council Records, page 522.

At a Council held at the Council Chamber in Boston upon Monday, the 18th of February 1711.

An accompt of Disbursements by the Select men of Boston in repairs of the late Town House from Septembr 5th 1709 to the time of its desolation, amounting to Eleven pounds two shillings & one penny presented and

Pursuant to the Act of the General Assembly,

Advised & considered That a Warrant be made out thereupon to the Treasurer to pay Five pounds eleven shillings & one penny, ½ being one half of the aforesd Disburse to the Town Treasurer of Boston.

At a Council held at the Council Chamber in Boston upon Monday the 29th of December 1712.

Present His Excellency Joseph Dudley Esqr Govr

Elisha Hutchinson Wm Hutchinson Andrew Belcher Peter Sergeant Esqrs Penn Townsend Esqrs Edwd Bromfield Esqrs Isaac Addington Esqr.

The Committee for overseeing the building of the Court & Town House in Boston moveing for a further supply of money for that occasion

Pursuant to the Grant of the General Assembly.

Advised & consented That a Warrant be made out to the Treasurer to advance the further sum of Five hundred pounds (over & above One thousand pounds already issued by several Draughts) to Mr William Payne of the said Committee & deputed their Treasurer to be employed for and upon the said Building, He to be accomptable for the disposal of it accordingly.

Council Records, page 639.

At a Council held at the Council Chamber in Boston upon Monday the 6th of April 1713.

Pursuant to a Resolve pass'd by the General Assembly at their Session in March last, that the Treasur be directed to supply the Treasurer of the Town of Boston with the sum of Four hundred & fifty pounds in the public bills of credit to be applyed towards the carrying on & finishing the Town House or edifice now in building in Boston, as part of the Town's proportion of that charge, he taking good & sufficient security for the repaying of the sd sum into the Treasury again on or before the twentyeth day of February next

Advised & consented That a Warrant be made out to the Treasurer to advance & supply to Mr Joseph Prout present Treasurer of the Town of Boston the aforesaid sum of Four hundred & fifty pounds in Bills of publick credit for the use aforesaid taking good & sufficient security for the repayment of the same again accordingly. Council Records, 1712 to 1718, page 21.

At a Council held at the Council Chamber in Boston upon Wednesday April 29th 1713.

Present His Excellency Joseph Dudley Esqr. Governour &s.

Pursuant to the vote of the General Assembly at their Session in October 1711 for the raising of a new edifice within the town of Boston in or near the place where the Town House stood before the desolation thereof by fire for Publick Meetings on civil occasions for the use of the Province County & Town the charge thereof to be borne the one half by the Province the other half by the Town of Boston & county of Suffolk in equal proportion.

Advised & consented that a Warrant be made to the Treasurer to advance & pay M^r William Payne of the Committee for overseeing the Building of the s^t House & deputed to their Treasurer the further sum of Five hundred pounds over & above what has been already advanced to him towards that work, he to be accomptable for the disposal of it accordingly.

Council Records, 1712 to 1718, p. 32.

At a Council held at the Council Chamber in Boston upon Wednesday, the 22^d of July 1713.

M^r William Payne of the Committee for overseeing the building of the Court & Town House in Boston & deputed their Treasurer moving for a further supply of money towards defreying the charge thereof

Advised & consented That a Warrant be made out to the Treasurer to advance & pay to the s^d William Payne of the Committee & Treasurer as aforesaid the further sum of Five hundred pounds for that service to be employed on & about the Building he to be accomptable for the disposal of it accordingly.

Ibid., page 68.

August 27, 1713. Accompt presented by M^r W^m Payne of expenses in the Council chamber, where his Excell^cy was attended by the Council officers civil & military and other Gent and on the Regiment under their arms attending his Excellency on the 24^th of August currant at the Publication of the Peace between Her Majesty & the French King amounting to Fourteen pounds & eight shilling.

Advised & consented to pay the above sum. Ibid., p. 86.

March 10, 1713.

Council Advised & consented to pay Mr. William Payne of the Committee for overseeing the Building of the Town House in Boston the sum of seventy one pounds nine shillings and five pence being the balance remaining due from the Province to their part of the charge for building s^d house according to the Report of the Committee for auditing the Accompts thereof accepted by the General Assembly.

Ibid., page 160.

Town Records. Nov 16, 1711. Vol. 2., p. 333.

Voted. A Concurrence with the proposalls made by the Gen^ll Assembly Af^t building a House in or neer the place where the Old Town House stood, for the uses therein Mentioned, with an addition of these words [and all other Town affaires] as part of the uses thereof.

Voted. That Thomas Brattle Esq^r and m^r William Payn be the persons nominated & Chosen by this Town to joyn w^th the committee Raised by the Gen^ll Court to manage that affair.

Selectmen's minutes. Anno 1711: Decemb^r 10^th p. 25.

Voted. That Thomas Bratle Esq^r, m^r Josiah Tay, m^rs Eliz^a Maccarty & m^rs Eliz^a Powning shall be taken into Consideration in order to Satisfaction for their Houses w^ch were Blown up in order to Stop the progress of the fire w^ch hapened in this Town y^e 2^l of Octob^r Last.

p. 26. Also James Meers, Martha Gwin, Sarah Dynly & Rich^d Proctor, for their Houses being blown up.

Thom^s Brattle Esq. allowed Thirty Pounds.

Isaiah Tay	Thirty-five	Pounds
Eliz^a Maccarty	Sixty	"
Eliz^a Powning	Thirty five	"
James Meers	Twenty five	"
Martha Gwin	Twenty five	"
Sarah Dinely	Ten	"
Richard Proctor	Ten	"

(*From the original, in the possession of the Massachusetts Historical Society.*)

"RELATING TO Y^E TOWN HOUSE RENTS. READ MARCH 10^TH 1711-12."

"Whereas the Rents reserved to the Town of Boston for several spare Rooms in, under, and Adjoyning to the late Town House beside all rooms made use of there for Publick Occasions, did according to the Rates they were lett, or might have been Lett at amount to Eighty pounds P^r annum.

And the Great and Gen^ll Court of Assembly of this Province haveing lately directed, That there be a House built in or neer the place where the Old Town House stood, for Publick meetings on Civill Occasions, For Province County and Town, Viz^t. For the Meeting of the Gen^ll Assembly, The holding of Councills and Courts of Justice and Town Meetings, the Charge thereof to be born the One halfe by the Province, the Other halfe by the Town of Boston and County of Suffolk in Equall proportion, unto which proposal the Inhabitants of Boston have Voted their Concurrance.

And since there is prospect of as great if not greater improvem^ts and advantage by such spare room in the s^d new building now to be Erected, it may not be unseasonable for the Inhabitants of this Town now to make Sutable provision to secure that priviledge and benefitt to them selves and their successors.

And altho other Arguments might be of weight for their being so benefitted, Yet rather then forego and lose the same, May it not be adviseable for them to agree upon bearing some Additional Charge in y^e s^d building as an Equivalent, That so they may be thereby Effectually Intitulled to the benefit and improvement of all such rooms and spaices in under and adjoyning to the s^d New building which shall be conveniently capable of being inclosed and Improved for distinct uses, and otherwise not needfull to be made use of for those afore mentioned intentions proposed by the Gen^ll Court, and thereby to Lessen the Charge of the Province, Town and County in their respective proportions as aforesaid. The which additionall charge, together with the Charge of Incloseing and fitting of shopps &c. there, may (if the town sees meet) to very good advantage to be defrayd out of that their money w^ch is the Effects of Lands sold and in Equity ought to be so layd out as to raise and perpetuate an income to the Town.

And in case sutable Application be made to the Gen^ll Court on the behalfe of this Town relating to the premisies, under the consideration of their Excessive growing Charge and Expences, & their so great a loss by the Late Fire & that the Late Town-House w^ch was built at the Charge of y^e Inhabitants of this Town was for neer fifty years past made use of for all Publick Occasions w^thout any other Charge to the Public then that for some of the Later years they have born part of y^e Charge of y^e Repaires.

And that the Town of Boston being the true and proper Owners of all that Land on w^ch the said New building is now to be erected. It is presumed that they will readily agree unto so just and reasonable a proposal.

Proposed By Joseph Prout Read at y^e begining of y^e Town meeting y^e 10^th of March 1711-12.

APPENDIX C.

PAPERS RELATING TO THE REBUILDING OF THE TOWN HOUSE IN 1747.

In the House of Representatives Dec^{r} 9, 1747.

Ordered that the Select Men of the Town of Boston be desired to take care of the Materials belonging to the late Court House which are preserved from the Flames.

Sent up for concurrence

T. Hutchinson Spkr.

In Council Dec^{r} 9. 1747 Read & Concurr'd

J. Willard Secy

Consented to

W. Shirley

Massachusetts Archives, Book 49. p. 204

In the House of Representatives Dec. 9. 1747.

The House taking into further consideration the awful Providence of God this Morning in the destruction of the Court House and great part of the publick Records by Fire.

Ordered that the Speaker Col^{o} Stoddard Col^{o} Heath Col^{o} Choate M^{r} Frost Capt Partridge and Col^{o} Otis with such as the Hon^{ble} Board shall Joyn, be a Committee to Consider and Report what is necessary to be done by the Court at this Juncture.

Sent up for concurrence

T. Hutchinson Spkr

In Council Dec^{r} 9. 1747. Read & Concurred,

& Josiah Willard, Sam^{l} Walley, John Cushing, John Quincy, John Chandler & And^{w} Oliver Esq^{rs} are joined in y^{e} Affair

J. Willard Secy.

Book 49. p. 205.

Committee to provide boards for
the Court House Walls
Dec. 10 1747.
Entered

In the House of Representatives Dec^{r}. 11, 1747.

Ordered that M^{r} Frost with such as the Hon^{ble} Board shall Joyne be directed to Contract for sixty thousand feet of Boards forty thousand of them Merchantable and twenty thousand clear for the Service of the Province and

Also three thousand feet of one Inch and half clear Stuff and three thousand feet of Stuff for Window Frames

Sent up for concurrence

T. Hutchinson Spkr.

In Council December 11th 1747. Read and Concurr'd and John Hill Esq^{r} is Joyned in the Affair

J. Willard Secry

Book 49. p. 206. Consented to W. Shirley.

In the House of Representatives Dec^{r} 11th 1747

Ordered that the Select Men of Boston be desired and impowered to Secure the Walls of the late Court House from the inconveniences of the Weather by Causing the same to be covered with Boards in the best and cheapest manner

Sent up for concurrence

T. HUTCHINSON Spkr

In Council Dec^{r} 11 1747 Read and Concurr'd

J. WILLARD Secry.

Book 49. p. 207.

In the House of Representatives March 3, 1747

Ordered that Col^{o} Hale Col^{o} Otis M^{r} Boardman M^{r} Fore and M^{r} Hubbard with such as the Hon^{bl} Board shall appoint be a Committee to Consider and Report a proper place in the Town of Boston for building a New Court House

Sent up for concurrence

T. HUTCHINSON Spkr.

In Council March 3, 1747.

Read & Concur'd And Jacob Wendell, Samuel Danforth, Sam^{l} Watts, John Chandler, & Ezekiel Chever Esq^{rs}. are joined in the Affair

J. WILLARD Secry

Book 49. p. 510

In the House of Representatives 9 March 1747

Voted that the late Court House in the Town of Boston be Repaired as soon as conveniently may be & that one half the Charge thereof be borne by the Province the other half by the County of Suffolk & the Town of Boston

Sent up for concurrence

T. HUTCHINSON Spkr.

In Council, March 9, 1747; Read & Concur'd,

J. WILLARD Secry

Consented to

W. SHIRLEY

Book 49, p. 211

In the House of Representatives March 11, 1747.

Whereas it has been determined by this Court that the late Court House should be repaired, and that one half the Charge should be born by the County of Suffolk and the Town of Boston, but the proportion between the County and Town is not settled by said vote.

Resolved that one quarter part of the Charge of repairing s^{d} House be born by the said County, and one quarter part by said Town. Also voted that M^{r} Speaker M^{r} Hubbard and M^{r} Allen with such as the Hon^{ble} Board shall Joyn be a Comm^{ee} to Purchase and Procure proper Materials to Effect the repair of said House agreeable to the vote of the 10th Curr^{t}. Also to Prepare a Plan of the Inside Work that the room may be so dispos'd as will be most beneficial to the Province County and Town. And that they Lay the same before this Court, with an Estimate of the Charge at their next sitting

Sent up for concurrence

T. HUTCHINSON Spkr.

In Council; Mar. 10. 1747; Read & Concur'd & Jacob Wendell & Andrew Olliver Esq^{rs}. are Joined in the Affair

J. WILLARD Secry.

Consented to,

W. SHIRLEY

Book 49. 212, 213.

The Committee appointed the 11 Inst to procure Materials to effect the Repairs of the Court House & to prepare a Plan & make an Estimate of the Charge, have divers times met & consulted Workmen thereupon: and beg leave to report

That in obedience to the order of the Hon^ble^ General Court, they have taken measures for procuring the Lumber needful for this purpose & have actually agreed for a great part of it.

The Committee herewith present a Plan of the inside Work, which they apprehend will be the most commodious & best answer the design of the Building; and upon the best information they can obtain they judge that the said Repairs will amount to Eighteen thousand One hundred & four Pounds old ten^r^ as by the Estimate herewith, all which is humbly submitted.

JACOB WENDELL by order

March 31: 1748

In Council April 7. 1747. Read & sent down.

In the House of Representatives 12^th^ April 1748

Read and Ordered that the Committee be directed to Proceed & cause the Court House to be rebuilt agreeable to the Plan laid before the Court with this Report.

Sent up for concurrence
T. HUTCHINSON Spkr

In Council April 13, 1748; Read & Concur'd
J. WILLARD Secry.

Consented to
W. SHIRLEY.

Book 49. pp. 214, 215.

In the House of Representatives April 8. 1848

Voted that the Treasurer be directed to Pay into the hands of the Committee for purchasing Materials for building a Court House the Sum of One hundred pounds out of the Appropriation for payment of matters & things for which there is no Establishment. The said Comm^ee^ to be accountable

Sent up for concurrence
T. HUTCHINSON, Spkr.

In Council April 9^th^. 1748. Read & Concur'd
J. WILLARD Secry.

Consented to
W SHIRLEY.

Book 49. p. 216

In the House of Representatives June 15 1748

Voted that the Committee app^ted^ to take care of the rebuilding the Court House be allowed to receive out of the publick Treasury the Sum of fifteen hundred pounds to Enable them to Proceed in that affair. The said Committee to be accountable.

Sent up for concurrence
T HUTCHINSON Spkr

In Council June 15 1748 Read and Concurr'd
J. WILLARD Secry.

Consented to
W. SHIRLEY.

Book 49. p. 228.

In the House of Representatives Nov^r^ 22, 1748.

Ordered that the Sum of fifteen Hundred pounds be paid out of the Treasury into the hands of the Comm^ee^ app^ted^ to take care of the repairs of the Town House &c. They to be accountable

Sent up for concurrence
T. HUTCHINSON Spkr.

In Council Nov^r^. 22. 1748 Read & Concur'd
J. WILLARD Secry.

Consented to
W. SHIRLEY.

Book 49. p. 238

To The Hon^ble^ Spencer Phips Esq^r^: Leiv^t^ Governour and Commander in cheif in and over his Majesty's Province of the Massachusetts Bay in New England, To the Hon^s^ his Majesty's Council, and to the Honb^l^ the House of Representatives in General Court Assembled,

The Petition of Abigail Halyburton of Boston Widow, humbly sheweth,

That in the year 1747 when the Court House was consumed by Fire, his Majesty's Council took a Room in the House she had hired of Madam Stoddard, for which she did not intend to trouble your Honour and this Hon^ble^ Court about, but on her Settling her Accounts of Rent with said Mad^m^ Stoddard lately she had obliged her to pay Thirty four Pounds old Tenor for the Rent of that House, when she had no other Improvement for it than for his Majesty's Council to sit in as aforesaid, your Memorialist begs leave further to represent, that at the same Time at Col^o^ Pollard's request she was at about Eight Pounds old Tenor costs for Forms for the Council Use, and she has had no Allowance for either Forms, or Rents therefore she prays your Honours to take the Premises into consideration & make her such Allowance as you in your great Wisdom shall think proper and as in Duty bound shall ever pray

ABIGAILL HALLYBURTON

Book 49. p. 262.

In the House of Representatives Jan^y^ 10 1749

Read and Ordered that the Prayer of the Pet^nr^ be so far granted as that the Pet^r^ be allowed out of the publick Treasury the Sum of three pounds in full[1] for the Use of her House which was improved in the Service of the Province when the late Court House was Consumed by fire.

Sent up for concurrence

J. DWIGHT Spkr.

In Council Jan. 10. 1749 Read and Concur'd

J. WILLARD Secry

Consented to

S. PHIPS.

p. 263.

In the House of Representatives. Jan^y^. 26 1749

Ordered that the Treasurer be directed to deliver the Committee appointed to take care of the repairs [of] the Townhouse &c the Sum of One thousand pounds Lawful Money to be by them paid to the workmen &c Who have perform'd that Service

The said Comm^ee^ to be accountable for their doings to this Court.

Sent up for concurrence

THO^s^ HUBBARD Spkr *pro Tempore*

In Council Jan. 26, 1749; Read & Concur'd

J. WILLARD Secry.

Consented to

S. PHIPS

Book 49, p. 264.

In the House of Representatives March 31 1750

Ordered that the Committee appointed to take care of the Repairs of the Court House be directed to lay their Accounts upon the Table as soon as may be

Sent up for concurrence

THO^s^ HUBBARD, Spkr *pro Tempas.*

In Council March 31 1750

Read and Concurred SAML HOLBROOK Dep^ty^ Secry

Consented to

S. PHIPS. p. 266.

[1] As it took about eleven pounds old tenor to make one pound sterling, the Council probably paid in full. — W. H. W.

In the House of Representatives April 19, 1750

Ordered that the Sum of Sixty Six pounds thirteen shillings and four pence be allowed & p^d^ out of the publick Treasury to the Committee for repairing the Town House &c in consideration of their time & trouble in taking care of said Repairs &c. to be equally proportiond among them.

Sent up for concurrence

T Hubbard Spkr *pro Tempore*

In Council April 19. 1750 Read & Concur'd

Saml Holbkook Dy Secry

Consented to

S. Phips

Book 49. p. 277.

At a Great & General Court or Assembly for his Majesty's Province of the Massachusetts Bay in New England, began & held at Boston upon Wednesday thirtieth day of May 1750, being called by his Majesty's Writts.

Friday Octo^r^. 5. 1750

In the House of Repres^ves^. Whereas the Charge of building the Town House in Boston was by the General Court ordered to be paid, one half by the Province, one quarter part thereof by the Town of Boston & the other quarter part thereof by the County of Suffolk, & it has been resolved by the General Court that the said Town & County shall pay the same proportion in the late Repairs thereof, the whole Charge of which Repairs amounts to thirty seven hundred & five pound eleven shillings & four pence Lawful money;

Wherefore Ordered that the Town of Boston aforesaid pay into the Province Treasury Nine hundred twenty six pounds seven shillings & ten pence, being one quarter part of the Charge of said Repairs; And the Province Treasurer is hereby ordered & directed to proportion the Sum of Nine hundred & twenty six pounds seven shillings & ten pence, to and among the Towns in the County of Suffolk, according to the Proportion which each Town in said County bore, one to the other, in the last Province Tax; And the Treasurer is further Ordered to give out his Warrants to the Assessors of the Town of Boston for the year 1750 requiring them to Assess the Sum of Nine hundred twenty six pounds seven shillings & ten pence on the Polls & Estates in the said Town of Boston, according to the Direction of the last Province Tax Act, & also to give out his Warrants to the Assessors of the several Towns in said County of Suffolk, requiring them to assess on Polls & Estates in their respective Towns their proportionable Parts of the said sum of Nine hundred & twenty six pounds seven shillings & ten pence by the same Rule aforesaid: And the said Treasurer & the Assessors aforesaid, and the Collectors and Constables to whom the Assessment for the Tax aforesaid shall be committed, be & hereby are fully impowered & directed to act in their respective offices for the enforcing the Payment of said sums into the Province Treasury on or before the last day of March next, in all respects, as by the Law of this province, said Officers are impowered to do for the enforcing the Payments of Province Taxes.

In Council; Read & Non Concur'd

A true Copy as of Record

Attest^r^ Saml Holbrook D Secry.

Book 49. p. 298.

Dec. 9. 1747. In the House of Representatives,

Ordered that M^r^ Frost, Cap^t^. Partridge & Col^o^. Otis with such as the Hon^ble^. Board shall appoint be a Committee to inquire after & secure any Books Records & Papers that may have been preserved from the Flames, which consumed the Court House this morning.

In Council Read & Concur'd; and Josiah Willard, Samuel Welles & Andrew Oliver Esq^rs^ are joined in the Affair. Court Records p. 273, 274.

In the House of Representatives. Ordered that the Select men of Boston be desired & impowered to secure the Walls of the late Court House from the Inconveniences of the Weather by causing them to be covered with Boards in the best & cheapest manner. In Council, Read & Concur'd. Consented to by the Governour.

p: 278

March 2, 1747. [*i.e.*, 1747–48.]
His Excellency sent the following Message to the House by the Secretary, viz^{t}

Gentlemen of the House of Representatives

At the beginning of this Session I recommended to you the making Provision for a Court House, I was in hopes the Inconvenience you suffer in your present Situation would have prompted you to have given Dispatch to this Affair, but perceiving it is still delayed, I must desire you to resume the Consideration, lest the General Court shou'd be put to the same Difficulties another Winter.

p. 305.

April 13, 1748. Jacob Wendell Esq^{r}. from the Committee appointed to take Care of the rebuilding of the Court House gave in the following Report, viz^{t}.

The Committee appointed the 10th of March last to procure Materials to effect the Repairs of the Court House, & to prepare a Plan, & make an Estimate of the Charge have divers times met & consulted Work men there upon & beg Leave to Report, — That in Obedience to the Order of the Hon^{ble}. General Court they have taken Measures for procuring the Lumber needful for this Purpose, & have actually agreed for a great part of it.

The Committee herewith present a Plan of the Inside Work which they apprehend will be the most commodious, & best answer the Design of the Building; And upon the best Information they can obtain they Judge that the said Repairs will Amount to Eighteen thousand, one hundred & four Pounds old Tenor, as by the Estimate herewith.

March 31, 1748

All which is respectfully submitted

Jacob Wendell
p^{r} order

In the House of Representatives. Read & Ordered that the Committee be directed to proceed, & cause the Court House to be rebuilt, agreeable to the Plan laid before the Court with this Report.

In Council; Read & Concur'd
Consented to by the Governo^{r}.

Court Records, p. 330.

April 23 1748. In the House of Representatives.

Voted that the Treasurer be directed to pay into the hands of the Committee for rebuilding the late Court House, the Sum of Five Hundred Pounds, such sum to be taken of the Appropriation where there is no Establishment: The said Comm^{tee}. to be Accomptable.

In Council; Read & Concur'd. Consented to by the Governour.

p. 345

April 20, 1749. In the House of Representatives. Ordered that the Sum of Twelve Hundred & fifty Pounds be paid out of the Publick Treasury to the Committee appointed to effect the Repairs of the Court House in Boston, the said Committee to be accountable.

In Council; Read & Concur'd
Consented to by the Governour

p. 477.

April 25, 1751. In the House of Representatives:

Whereas the Charge of building the Town House in Boston was by the General Court ordered to be paid one half by the Province, one Quarter part thereof by the Town of Boston, and the other Quarter part thereof by the County of Suffolk, And it has been Resolved by the General Court that the said Town & County shall pay the same Proportion in the late Repairs thereof: The whole Charge of which Repairs amounts to thirty seven hundred five Pounds eleven shillings & four pence Lawfull Money: Wherefore

Ordered that the Town of Boston aforesaid pay into the Province Treasury nine hundred twenty six Pounds seven shillings & ten pence beeing One Quarter part of the Charge of Said Repairs, And that the County of Suffolk pay into the Province Treasury Nine hundred Twenty six Pounds seven shillings & ten pence being also one Quarter part of the Charge of said Repairs, and the Province Treasurer is hereby Ordered & directed to proportion the Sum of Nine hundred twenty six Pounds seven shillings & ten pence to & among the Towns in the County of Suffolk, according to the Proportion, which each Town in said County bears one to another in the present valuation.

And the Treasurer is further ordered to give his Warrants to the Assessors of the Town of Boston, for the year 1750, requiring them to assess the Sum of Nine hundred twenty six Pounds eleven shillings & Ten pence on the Polls & Estates in the said Town of Boston, according to the Direction in the present Valuation, and also to give out his Warrants to the Assessors of the several Towns in said County of Suffolk, requiring them to assess on Polls & Estates in their respective Towns their proportionable part of s^{d} Sum of Nine hundred twenty six Pounds seven shillings & ten pence by the same Rule aforesaid. And the said Treasurer & the assessors aforesaid & the Collectors & Constables, to whom the Assessment for the Tax aforesaid shall be committed be & hereby are fully impowered & directed to act in their respective Offices, for the Enforcing the Payment of said Sums into the Province Treasury on or before the last day of March next in all Respects as by the Law of this Province said Officers are impowered to do for enforcing the Payment of Province Taxes.

In Council Read & Concur'd Consented to by the Lieu^{t} Govern^{r}.

page 337.

APPENDIX D.

THE LION AND THE UNICORN.

(See *ante*, p. 65.)

In delivering this address, reference was made to the Lion and Unicorn, which adorned the eastern front of the building, as "Royal Arms," and the words were retained, though not technically correct. Correctly speaking, there are no arms shown on the building; the two wooden figures being only the supporters of a shield whose outline only is indicated. The first question to con-

sider in deciding what this shield would naturally be, is, "Does the use of the Lion and Unicorn, as supporters, necessarily imply the presence of the arms of Great Britain, or of the ruling family?" The answer must be in the negative. For example, good authorities state that the Dukes of Northumberland long used these supporters. The fact more to the point is, that they were often used in connection with the arms of various colonies. In September, 1686, King James II. granted to the New England Colonies, then governed by Andros, a great seal, both sides of which are shown in the annexed engravings.

In the following year King James granted a seal to New York, one side bearing the Royal Arms, with the Garter Crown Supporters and Motto, with the inscription, "Sigillum Provinciæ Nostræ Novi Eboraci, etc., in America." (Historical Mag., April, 1862.) It is believed that similar grants were made to other colonies, especially to New Hampshire.

Under the Second Charter of Massachusetts a change was necessary, as that provided for a "publique seal to be appointed by the

Crown." The following engravings show the two different forms which this seal assumed from A.D. 1692 to the Revolution: —

It has not seemed worth while to push this inquiry as to the exact dates of the first and last use of each form; but Mr. Thomas C. Amory, in a careful essay printed in the Proceedings of the Massachusetts Historical Society for December, 1867, thinks that the second form came into use about September, 1728, when the Supplemental Charter of George I. came into effect. At the accession of George III. the seal was changed in respect to his name, but not otherwise. Of course this seal ceased to be used at the Revolution.

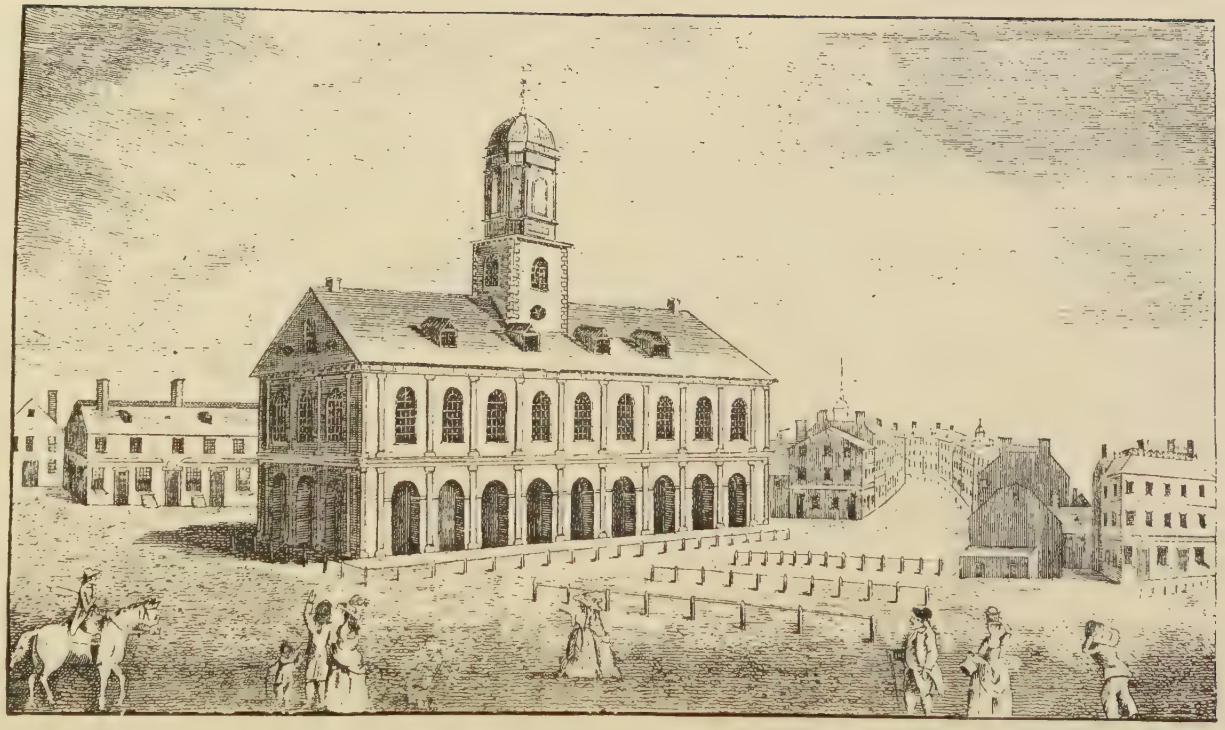
It will be seen, however, that for some fifty years the seal of Massachusetts was a shield of the Royal Arms, with the Lion and Unicorn for supporters, and an inscription denoting that they were used for and in behalf of the Province. In the interesting painter's bill, printed (*ante*, p. 64), it appears that within the building were carved representations of the Colony Arms as distinct from the King's Arms. Although no specimen is now known of these Colony Arms, it cannot be doubted that they were the same as those on the Great Seal.

It is, therefore, at least as probable that these supporters would imply the Province coat-of-arms, as the Royal Arms. But in reality there was no distinction between them, and it would seem to be an unnecessary stretch of fancy to insist upon seeing in these inoffensive wooden images a reminder of British rule, rather than of the glorious Provincial Government, that precursor and creator of our later free State.

So long as the emblems have at least an equal claim to be viewed as Provincial insignia, and especially as it would be impossible to use any other heraldic ornaments to denote that period, there seem to be sound grounds for us to retain these figures.

As to their removal by our forefathers, it is necessary to say only that, at that date, such an act had a meaning. It was the visible token of the revolt against royalty, and was, therefore, right and proper. But now that republicanism is established, and the continuance of royalty even in Europe is so problematical, no one can fear the result of showing to the world this evidence of our former condition. The loyalty of our people to their chosen form of government does not depend upon any falsification of history. The Lion and the Unicorn were the property of our ancestors in this country, and we have the right to use them in any place where their presence is instructive.

The date of the removal of these figures has not been definitely ascertained. The note on p. 93 makes it probable that they did not remain later than July 18, 1776; but, as the American troops occupied the town four months earlier, the change may have taken place before this. The destruction of royalist emblems was not so extensive as the newspaper asserts, since the King's Arms were removed from the Council Chamber by loyalists, and sent to St. John, N.B., where they now decorate a church; and the similar carving from the Province House is now in the possession of the Massachusetts Historical Society, and is, temporarily, placed on exhibition in the Old State House.



Faneuil Hall in 1789. (From the Massachusetts Magazine.)

APPENDIX E.

FANEUIL HALL.

As Faneuil Hall has been so intimately connected with the history of Boston, it seems proper to insert a short account of the building, and especially to point out the changes which it has experienced, as the comparison with the Old State House, on the point of genuineness, will not be to the discredit of the latter.

As is well-known, Peter Faneuil, in 1740, offered to build and present to the town a market-house. On July 17th, at a town meeting, a vote of thanks for the offer was unanimously passed, but the acceptance was carried only by a majority of seven votes in a total of 727, so wedded were our ancestors to their old ways of marketing.

Sept. 10, 1742, Mr. Samuel Ruggles, who was employed in building the market-house, delivered over the key to the selectmen, and on the 13th a town meeting was held. On motion of John Jeffries, Esq., the following vote was passed: —

"Whereas, information was given to this town at their meeting in July, 1740, that Peter Faneuil, Esq., had been generously pleased to offer at his own proper cost and charge, to erect and build a noble and complete structure or edifice, to be improved for a market, for the sole use, benefit and advantage of the Town, provided the town of Boston would pass a vote for that purpose, and lay the same under such regulations as shall be thought necessary, and constantly support it for the said use.

"And, whereas, at the said meeting it was determined to accept of the offer or proposal aforesaid; and also voted that the selectmen should be desired to wait upon Peter Faneuil, Esq., and to

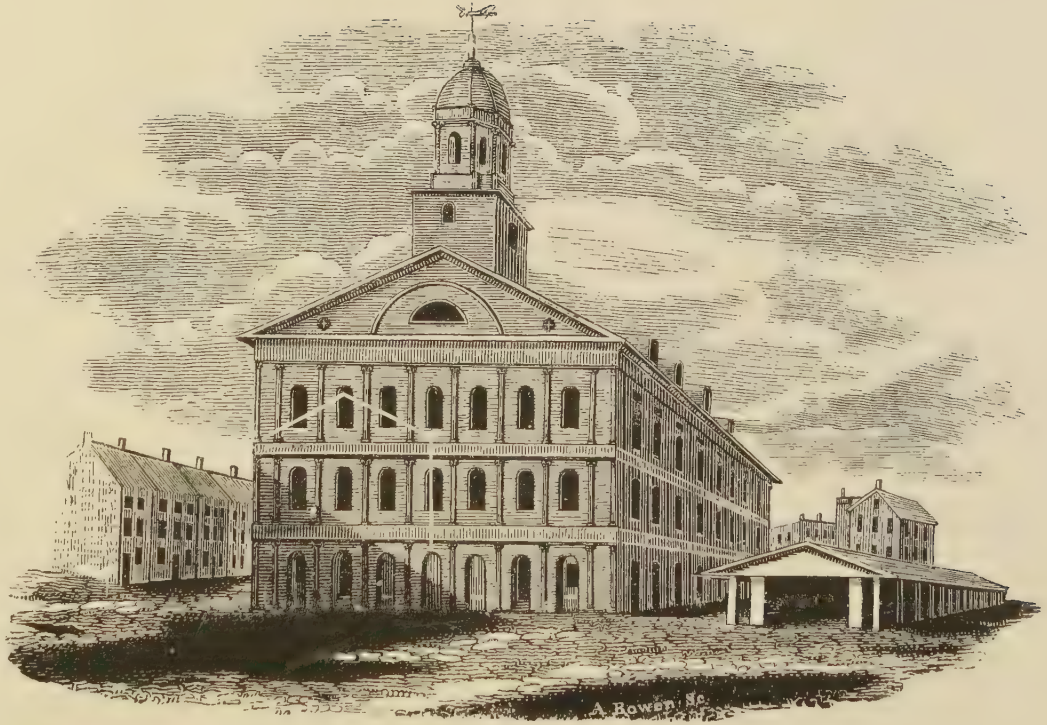
present the thanks of the Town to him, and also to acquaint him that the town have by their vote come to a resolution to accept of his generous offer of erecting a market-house on Dock square, according to his proposal.

"And, whereas, Peter Faneuil, Esq., has in pursuance thereof, at a very great expense, erected a noble structure far exceeding his first proposal, inasmuch as it contains not only a large and sufficient accommodation for a Market place, but has also superadded a spacious and most beautiful Town Hall over it, and several other convenient rooms which may prove very beneficial to the town for offices, or otherwise; and the said building being now finished, has delivered possession thereof to the Selectmen, for the use of the town. It is, therefore,

"*Voted*, that the town do with the utmost gratitude, receive and accept this most generous and noble benefaction, for the uses and intentions they are designed for; and do appoint the Hon. Thomas Cushing, Esq., the Moderator of this meeting, the Hon. Adam Winthrop, Edward Hutchinson, Ezekiel Lewis, Samuel Waldo, Thomas Hutchinson, Esquires; the Selectmen and Representatives of the town of Boston, with the Hon. Jacob Wendell, James Bowdoin, Andrew Oliver, Capt. Nathaniel Cunningham, Peter Chardon, and Charles Apthorp, Esquires, to wait on Peter Faneuil, Esq., in the name of the Town, to render him their most hearty thanks for so bountiful a gift; with their prayers that this and other expressions of his bounty and charity may be abundantly recompensed with the divine blessing."

"It was then voted unanimously that, in testimony of the Town's gratitude to the said Peter Faneuil, Esq., and to perpetuate his memory, the Hall over the market place be named Faneuil Hall, to be at all times hereafter called and known by that name.

"As a further testimony of respect it was voted that Mr. Faneuil's picture be drawn at full length at the expense of the town, and placed in the Hall, and the Selectmen were charged with the



Faneuil Hall in 1826. (From Snow's History.)

commission, which was accordingly executed." (Snow's Hist. of Boston, p. 234.) March 14, 1744, the town voted to purchase the Faneuil arms, elegantly carved and gilt, by Moses Deshon, to be fixed in the Hall.

On Tuesday, January 13, 1761, during a spell of extremely cold weather, a fire broke out in one of the shops opposite the north side of Faneuil Hall, and consumed the row of wooden buildings there. The fire "communicated itself to that stately edifice, Faneuil Hall Market, the whole of which was entirely consumed, except the brick walls, which are left standing." The "records and papers, with such other things as could be conveniently removed, were mostly saved." The first meeting at Faneuil Hall after it was repaired was on March 14, 1763, when James Otis, Jr., delivered an address. Some slight alterations were made in some parts of the work, but the size of the building remained the same. (Snow's Hist., p. 247.)

The two views here given, one from the Massachusetts Magazine for March, 1789, and the other, from Snow's History in 1826, show the Revolutionary building and the present one. The white lines in Snow's view indicate the proportion of old material in the existing Hall. In 1805 the enlargement was made doubling the width of the building and adding a third story. The first Hall was calculated to hold one thousand persons, but, as we have noted before, whenever a large town meeting was held it adjourned to the Old South Church for additional room.

APPENDIX F.

City Hall, Boston, Oct. 1, 1882.

Alderman William Woolley, *Chairman of the Committee in charge of the Restoration of the Old State House:* —

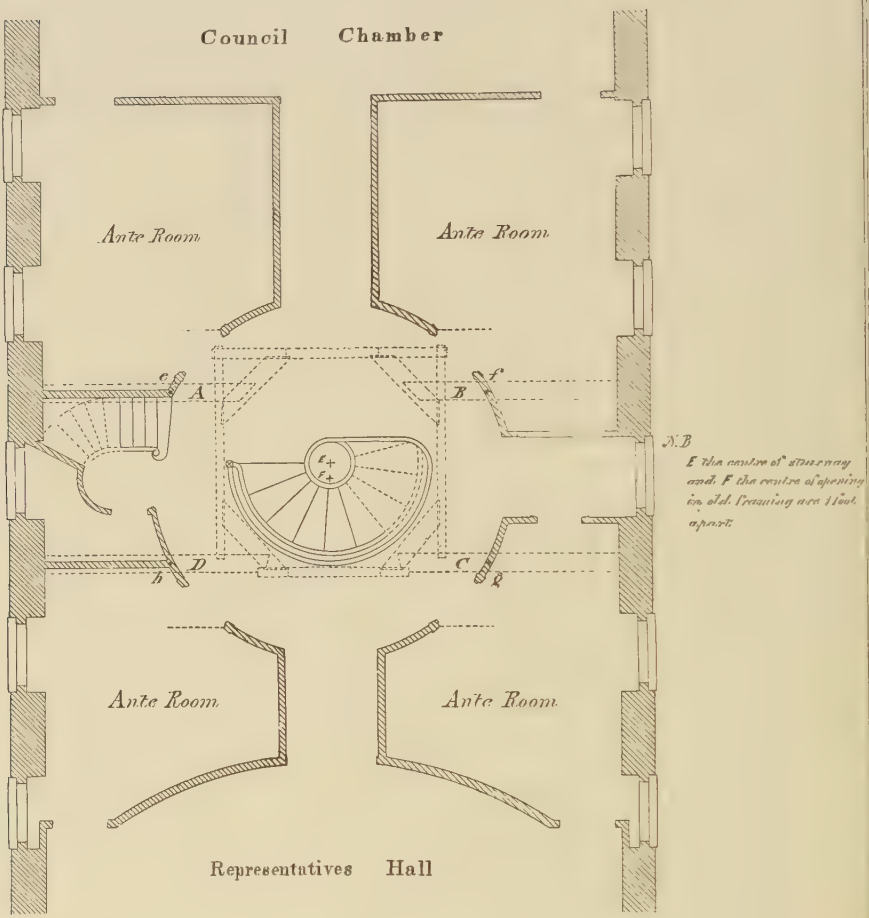
Dear Sir, — In the reconstruction and restoration of any structure it will be understood that the result must largely depend upon the knowledge at hand of its original character.

In the case of the Old State House, to ascertain this was not altogether an easy task, but with the aid of Mr. W. H. Whitmore, an active member of your committee, and who was entirely familiar with its early history, much of the difficulty was overcome in the start. The following is an authentic statement of the evidences which were found of the original condition of the old building, and which have determined the work of restoration.

In order to ascertain if there were any hidden traces left of the original interior, a careful carpenter was first employed to make a thorough examination; this work was carried on for more than four weeks, under the immediate observation of Mr. Whitmore and myself; several important indications were thus brought to light; in fact, the exact location of all the original partitions of the second story was determined: upon removing the plastering, the outline of the original partition caps was found, which had been cut in between the old furrings. Also, corresponding indications were found upon the old under-floors,

Old State House — State Street

— Boston —



Plan of Second Floor

showing Circular Staircase Hall and the four Ante Rooms adjoining, also representing in dotted lines the original Oak framing around the Staircase opening
The Girders A. B. C. D were hung from the Tie Beams of the Roof Trusses in the Third Floor by four 1 inch square rods in the partitions at the points e. f. g. h
All of these indications were found in the restoration of 1881

which, by the way, had been covered at different periods by two, and in some places by three, upper or finish-floors. These indications upon the original under-floors also gave me the position of all the doors, their thresholds being clearly defined by openings directly through the under floor, as in the case of thresholds in old buildings of that date.

But the most important development of all was the opening up of the original framing in the second floor around the circular staircase, as represented in the accompanying diagram. There was one mysterious circumstance in connection with this framing, — the centre of the circular gallery of the staircase was found to be one foot from the centre of the circular hall surrounding it, when they would both be naturally drawn from one centre. This was explained, however, in good time, by the fortunate discovery of the original plans of the building, they having been found by Mr. Whitmore[1] at Cincinnati; the reason of the difference in the two centres was at once apparent, it having been purposely arranged to equalize a

[1] I sincerely regret that Mr. Clough, writing at a time when there was no controversy, used a phrase capable of misconstruction. The plans mentioned were those used by Isaiah Rogers, the architect of the renovation of the building in 1830. They were found in the possession of his family, and are of the greatest interest and value as being the only plans known to exist which show the state of the building then. No earlier plan has yet been found.

The discussion of the meaning of the plans will be found in a later appendix. In the meantime the reader will note that the report of Mr. Clough, brings out much new testimony as to the original shape of the rooms.

A great deal of adverse criticism has been wasted on the question of authority for the present restoration. Words and phrases have been distorted, as if a printed statement, taken without regard to its context, must be beyond suspicion of error, and incapable of correction. Such criticisms may be highly entertaining as intellectual exercises; but they become worthless when only the truth is sought. In the present case, Mr. Clough, an architect of acknowledged skill, had an opportunity which his critics lacked, to see and examine the framework of this building, stripped from modern additions, and before it was again covered by new finish. His opinion is given in plain language, and is to be considered, as a whole, from a careful study of all the evidence before him.

After the opinion of an expert has been thus obtained, based upon the careful examination of walls, floors, timbers, and window-spaces as they exist, no adverse criticism founded on the critic's interpretation of scraps gleaned from note-books will be of any importance.

W. H. W.

certain amount of room gained through a peculiar manner of terminating the staircase on the second-floor landing.

The plan of the interior having been determined, and the nature of the accommodations, next came the treatment of finish, and the character of the architecture. Sketches and a careful study were at once made of all the buildings erected in this vicinity, of about the date of the Old State House; among them, several dwellings at the North End, Christ Church, Hancock House, King's Chapel, Royall House at Medford, the Gov. Shirley House at Roxbury, several public and private buildings at Salem, Newburyport, and Portsmouth were carefully examined. With these studies and the several wood-cuts and lithographic plates of the old building itself, dating from the days of Paul Revere down (he having made the first engraving), together with existing pieces of wood mouldings found about the interior, such as pieces of cornices, bases of the pilasters, pieces of old wood mantles, and wood wainscoting connecting with the same, besides the position of all the old wood grounds upon the brick walls, giving the heights of the cornices, wainscoting, etc., a very definite idea was formed of the treatment of the interior wood finish; also much of the new work that was required about the exterior, including the balcony at the State-street end and the restoration of the Washington-street door.

In restoring the windows of the building the number of panes of glass in each window was determined by an oil painting, made about A.D. 1805, which is in the possession of the Massachusetts Historical Society.[1] The muntins of the sashes are different from those found in any other building of that period, and are a reproduction from the window of the second story, opening upon the balcony at the State-street end. Although the use of

[1] The engraving of this picture will be found *ante*, p. 101.

this peculiar thin muntin excited a great deal of criticism in the public press, it was not decided upon finally, until after a careful examination of this window had been made by many leading architects and builders, especially those who had given attention to this colonial style, and it had been definitely determined that this was the original window. In fact, but little doubt of its original character could exist, since the frame of this window, like all the other windows about the building, was built solid into the walls and extending back of the same, on the two sides and across the top, at least four inches; the window and side lights were glazed with crown glass, which has not been in use for the last eighty years; the hinges were of wrought iron, secured with wrought nails, and the fastening was by an old brass latch with egg-shaped handles each side.

The work of restoring the exterior was not of a difficult nature, the brick moulded belt courses were easily continued where they had been removed, and the walls of the first story of the Washington and State street ends, which had been taken away for modern improvement, to fit the building for business purposes, were easily replaced with window openings like those above.

The main cornice was found in a good state of preservation, as also were the ten trusses supporting the roof, which, of course, determined the original outline; these trusses were framed with a king post, and were constructed of oak-hewn timber, the principal rafters being in double sections, the under section of a natural curve; the tie-beams of the trusses were about fourteen inches square and formed the sleepers or girders for the support of the third floor.

All of the roof above the cornice to the height of eight feet, between the trusses, had been removed; but above that height,

forming the apex, the original boarding and jack-rafters were found in good condition.

New dormer windows were placed between the trusses, the number, position, and proportions being ascertained from the several wood-cuts; also the five chimneys on each side, which were found to be of modern construction, were removed.

The tower was discovered in a neglected and very unsafe condition; several of the bed-plates which formerly received the posts having been removed in the course of adapting the third story to business purposes, while others had been completely burned off; and in those alterations the only support left for the tower was upon the head of two plank partitions. From the decayed condition of the wood finish of the exterior of the tower it was found nccessary to remove all of the sash, two thirds of the pilasters, pedestals, balustrades, and carved finials, and replace the same by new work; the copper work of the roof and the old vane and lightning-rod were found in a very passable condition.

The work of reconstruction occupied about six months' time, having been commenced about October 15, 1881, and completed in July, 1882.

Very respectfully submitted,

GEORGE A. CLOUGH,

City Architect.

APPENDIX G.

The following report, on the restoration and renovation of the Old State House (City Document No. 100 of 1882), was submitted to the Common Council, June 29, 1882: —

"The Committee on Public Buildings was instructed by the City Council of 1881 to give effect to the following order which was approved by the Mayor, Sept. 17, 1881: —

"*Ordered*, That the Committee on Public Buildings be directed to lease the Old State House for such terms, to such parties, and upon such terms as they may deem for the best interests of the City of Boston; and said committee are hereby authorized to expend a sum not exceeding thirty-five thousand dollars in repairs on building; said sum to be charged to the appropriation therefor."

"Under these instructions the committee of 1881 appointed Messrs. Whitmore, Woolley, O'Brien, and Morrison, in 1881, as a sub-committee; and in 1882, Messrs. Woolley, Hart (Frost in his place from February 24th), Morrison (Whitmore in his place from March 29th), and Eddy, in the same capacity.

"Your committee begs leave to report in part, at this time, that the work has been substantially finished, and to submit a detailed account of its expenditures. The estimate of $35,000 was as accurate a calculation as could be made in advance; and though, as will be shown, much more has been done than was anticipated, the work will be finished so that the building can be delivered to its occupants within the amount named.

"It was found that the work involved not only the removal of the partitions on each floor, but an elaborate reconstruction of the lower floor and basement, to fit them for such tenants as the city would desire to have in such a building. It was found necessary to heat the building by steam, in order to do away with the chimneys which had been put on during the present century. It was, of course, in the view which the committee took, necessary to take off the modern French roof and to restore the old pitch roof; to take out the glass front on the west end, and the flight of stairs on the east end, and to replace them with substantial brick

walls and proper doors and windows. The plans of the old building and the indications in the wood-work pointed to a circular stairway between the first and second floors. In utilizing the basement for business purposes, it was necessary to extend this stairway through that story also. The repairs to the tower were costly, but indispensable. The second story, containing the Memorial Halls, has cost considerable money, but there every part of the finish had to be constructed afresh.

"Your committee annex hereto the report of the City Architect, showing, first, the total cost of each kind of work; secondly the cost of each part of the building. It seems that of the $35,000 the amount of $11,300 was expended for the antiquarian part, or the Memorial Halls; the remainder has been economically expended in arranging the building for business purposes, under the instructions to preserve and restore the original exterior.

"In conclusion, your committee has to report that the work has revealed the fact that extensive repairs, perhaps costing $25,000, would have been needed within a very few years, as the walls were crumbling, the timbers of the roof and tower badly decayed, and even for renting purposes the building could not be compared with the modern offices in the vicinity. It had been hoped that the appropriation would allow the committee to fit up the attic, and to provide chandeliers, etc., for the halls. But as the work can be finished to this point within the original appropriation, and as these finishing touches can be left to our successors, it is only necessary to mention the facts.

"Your committee would especially call attention to the zeal and success with which the City Architect has conducted the work. The details of the reconstruction of the old work have given him much extra labor, but it is believed that everything which has been done has the best architectural authority for it. A full explanation of the changes is reserved for another opportunity.

The various mechanics have heartily coöperated, and the result will, it is hoped, prove that the appropriation has been properly expended.

"Your committee anticipate that it can deliver up the building to the City Government early in July, and, unless otherwise instructed, it is their intention to invite the City Council to attend at a formal celebration of the event.

Respectfully submitted,

WILLIAM WOOLLEY,
CHARLES H. HERSEY,
WILLIAM FROST,
P. JAMES MAGUIRE,
JOHN P. HILTON,
OTIS EDDY,
JOSEPH P. CONNELL,
WILLIAM H. WHITMORE,

Committee on Public Buildings."

Accepted, and ordered to be printed.

W. P. GREGG,
Clerk.

OFFICE OF CITY ARCHITECT,
CITY HALL, June 27, 1882.

WILLIAM WOOLLEY, *Esq.*, *Chairman Committee in charge of renovating the Old State House:* —

DEAR SIR, — In compliance with the request of your committee, I herewith present a statement of the total cost of reconstructing and refitting the ancient structure, showing first the cost of each kind of work, together with the name of the mechanic that did it; secondly, the separate cost of restoring each part of the building: —

Carpenters.		
Holbrook & Harlow	$9,413 69	
Sidney Peterson	7,451 31	
		$16,865 00
Masons.		
James Fagan	$5,301 67	
C. W. Baxter	365 25	
		5,666 92
Painters.		
John D. Driscoll	$1,920 70	
Walburg & Sherry	265 60	
		2,186 30
Roofing and Gutters.		
T. F. Harrigan		1,128 13
Superintendent and Watchman.		
F. A. Hatch and M. Farnham		1,380 04
Steam-heating and Ventilation.		
Ingalls & Kendricken		1,648 66
Iron and Marble Work.		
L. M. Ham and Bowker, Torrey, & Co.		1,061 74
Granite-Work.		
R. R. Clark		1,099 32
Plumbing.		
Brintnall & Tombs		988 58
Plastering.		
J. H. Davis		923 19
Amount carried forward,		$32,947 88

Amount brought forward,		$32,947 88
CARVING.		
W. H. Rumney		850 00
GAS-FITTING.		
Charles Pierce		235 29
Fuel, advertising, rat-catching, and other miscellaneous items, amount		825 83
		$34,859 00

SEPARATE COST OF RESTORING EACH PART.

Reconstruction of roof		$4,331 44
Alteration, Washington-street end		1,658 39
Alteration, State-street end		3,195 00
Construction of sub-cellar		1,470 00
Fitting up of R.R. offices		1,877 85
Fitting up antiquarian rooms		8,864 34
Circular staircase, hall and stairs	$2,460 40	
Staircase basement stairs	1,400 00	
		3,860 40
Fitting up offices, 1st floor, State-street end		1,649 19
" basement		3,148 43
The items of superintendence, watching, advertising, fuel, and work upon the walls of outside, have not been included in the above amounts, in all amounting to		4,803 96
		$34,859 00

Very respectfully submitted,

GEORGE A. CLOUGH,

City Architect.

APPENDIX H.

EXTRACTS FROM THE "LAST WILL AND TESTAMENT OF ME, ROBERT KEAYNE, ALL OF IT WRITTEN WITH MY OWNE HANDS & BEGAN BY ME MO: 6: 1: 1653, COMONLY CALLED AUGUST."

I Robert Keayne, Cittizen and Mrchant Taylor of London by freedome, and by the good Providence of God now dwelling at Boston in New England in Amireca being at this time through the great goodnes of my God, both in health of body, & of able and sufficient memory, yet considering that all flesh is as grasse, that must wither and will returne to the dust, and that my life may be taken away in a moment, therefore that I may be in the better readinesse (and freed from the distracting cares of the disposing of my outward estate, wch comonly followes the deferring of it, while the time of sicknes or day of Death, when the minde should be taken up with more serious and waighty consideracons) I doe therefore now in my health make ordaine & declare this to be my Last Will and Testament and to stand and to be as effectuall as if I had made it in my sicknes, or in the day or houre of my death, which is in manner and forme following

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This being prmissed in respect of my soule & my faith in Jesus Christ, I doe next comitt my body to the earth (& to comely & decent burriall) there to rest till my loveing Saviour by his Almighty power shall raise it up againe, at which time I confidently beleive it shalbe reunited to my owne soule, and there shall receive according to the works that I have done in this life according as they have beene good or evill in the sight of God, or according to that faith and confidence that I have in the free grace and merits of the Lord Jesus Christ. As for my Buriall I shall not desire any great outward solemnitie to be used further [**120.**] then that which shalbe decent & civill as becomes Christians knowing that extraordinary solemnities can nothing add to the peace or benefit of the deceased, yet haveing beene trayned up in Millitary Discipline from my youngr yeares, & haveing endeavoured to promote it the best I could since God hath brought me into this country & seeing he hath beene pleased to use me as a poore instrument to lay ye foundation of that Noble Society of the Artillery Company in this place, that hath so farr prospered by the blessing of God as to helpe many with good experience in the use of theire Armes & more exact knowledge in the Millitary Art & hath beene a nursery to raise up many able and well experienced souldiers that hath done since good service for their country, therefore to declare my affections to that exercise & the society of souldiers, I shall desire to be buryed as a souldier in a Millitary way, if the time & place of my death and other occasions may suite thereunto which I leave to the discretion of my executors and friends

As for the goods of this life which the Lord of his aboundant mercy, his rich & undeserved favor hath bestowed & reserved to me the greatest of sinners and the unworthyest of all his servants I dispose of in manner following

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These thirds for my wife being prmessed & my ffunnerall charges & debts being provided for as I have before mentioned The rest of my whole estate

both personnall & reall with my lands housing & all other things belonging to my estate I devide into two parts, the one part whereof I give and bequeath unto my welbeloved & only son Benjamin Keayne, the other part of my estate, I meane the just or due value of it I reserve as my owne right to dispose of as I please which is as herein shall after be expressed.

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I haveing long thought & considered of the want of some necessary things of publike concernment which may not be only comodious but very profitable & usefull for the Towne of Boston, as a Market place & Cundit, the one a good helpe in danger of fyre, the want of which wee have found by sad & costly experience not only in other parts of the towne where possibly they have better supply for water but in the heart of the towne about the market place, the other usefull for the country people that come with theire provisions for the supply of the towne, that they may have a place to sitt dry in and warme both in cold raine & durty weather & may have a place to leave theire corne or any other things safe that they cannot sell, till they come againe, which would be both an incouragement to the country to come in & a great meanes to increase trading in the [**125.**] Towne also, to have some convenient roome or too for the Courts to meete in both in Winter & Sumer & so for the Townes men & Comissio^{rs} of the Towne, also in the same building or the like there may be a convenient roome for a Library & a gallery or some other handsome roome for the Elders to meete in & conferr together when they have occasion to come to the towne for any such ende, as I perceive they have many, Then in the same building there may be also a roome for an Armory to keepe the Armes of the Artillery Company & for the Souldiers to meete in when they have occasion, Now if it should not be thought convenient by the Elders & Deacons or guids of the towne that all these conveniencyes should be under one roofe or in one place of the towne or that there be some places already built that may conveniently be used or fitted up with smale cost for some of these purposes, as in the Meeting House for a Granere or Armory & other places in it for the Magistrates & Comissio^{rs} to meete in as they doe sometimes, it is true in the sumer they may, in the Winter they cannot for want of chimneyes & fyres, but it would be necessary & more convenient (And the Towne hath beene often speaking about it, to have such a building for such uses though yet it hath not beene accomplished) if there were a place fitted on purpose & set apart for suce publike uses, and if advice were taken with some skilfull & ingenious workmen & some others that have good heads in contriving of buildings such as Mr. Broughton, Mr. Clarke, the Chirirgion &c. there might such a model be drawne up that one fabricke or building may [**126.**] be easily contrived that would conveniently accomodate all these uses, without extraordinary cost and yet may be so done as would be a great ornament to the towne as well as usefull & profitable otherwayes but if the cheife of the towne should be of anoth^{r} minde, then I should propose this, that the cundit & Markett House be sett in the market place somewhere betweene M^{r} Cogins house & mine or any where in that great streete betweene M^{r}. Parkers House & M^{r}. Brentons or rather M^{r}. Webb's if it should be judged there to be more convenient, these two may handsomely be contrived in one building in w^{ch} possibly may be some other convenient roomes fitt for some of the uses before mentioned besides & for those which that place cannot supply, as for a Library & for a Gallere or Long Roome for the Devines & Schollers to meete & conferr togeather upon any occasion it may be contrived to be sett all along on the foreside of the Meeting house joyning to it on the one side and the other side to be supported with pillars so the roomes about may be for Court meetings at the one side & the Elders at the other & the open roome betweene the pillars may serve for Merchants, M^{r} of Shipps and strangers as well as the towne (being either paled or borded on the ground) to meete in at all times to conferr about there busines & occasions w^{ch} I conceive would be very advantagius to the towne & may be so

contrived & sett forth y^t will be no disgrace or incumbrance to the meeting house but a great ornament to it, but if it should be thought not convenient to have it in the front of the Meeting [**127.**] House, it may accomplish the same ends, if placed on that side of the Meeting House from Seargeant Williams shop to Deacon Trusdalls house, or if a building placed in one of these two places may accomplish all the ends before mencōned save only the Cunditt then a large Cundit may be sett up alone, about the place where the Pillary stands & the other about the meeting house as before w^ch I leave to the best contrivement of the towne & the Elders & Deacons w^ch building or buildings if the towne shall thinke meete to goe about it & improve them for the severall uses before mentioned, only the Granere may be in any other place of the towne as shalbe thought convenient, I stand not upon that though my owne judgement leads me to thinke that some places or place about the Comon Market or near to it wilbe most suitable for many reasons. I say towards the building of these convenient places.

Item I give and bequeath three hundreth pounds in good merchantable pay the one third part thereof when the frame is brought to the place & raysed or some part of it before when the frame is in some forwardness if neede be, the seconde part when the chimneyes are built, the house covered and closed in round and all the floores layd, and the last third part when it is quite finished, provided that it be gone about and finished within two or three yeares at the most after my decease, and if any of these either a Cundet or Markett House should be sett up before my death, by the towne or any other in the place or places above mentioned, then my gift shall remaine good either for some addition to the same worke or for the accomplishing of those other workes by me mentioned that are not done by others, with a rebating proportionable to what [**128.**] is or shalbe before done by the towne or any other Pson, Now that these things may not be only for a show or a name & when finished prove as shaddowes & stand as emptie roomes without substance that they may be improved for the uses that I ayme at & intend though my estate is not such as whereby I am able to doe what I desire & would be willing to doe if had it, for such publike benefitt, yet for examples sake & encouragement of others (especially of our owne towne w^ch will have the benefitt of it) & such in the towne that have publike spirits & some comfortable estates to helpe on such workes I shalbe willing to cast in my mite & bring my lime & hare possibly God may stirr up the hearts of others to bring in their Badger skines & silke & others more costly things that the worke may goe on & prosper in so smale a beginning

Therefore to the Granere I give and bequeath One hundred pounds to be payd in Corne and that to be improved for a publike stocke to such uses & ends as I shall hereafter mention

Next the Library & Gallere for Devines & Schollers to meete in being finished

I give and bequeath to the beginning of that Library my 3 great writing bookes w^ch are intended as an Exposition or Interpretation of the whole Bible, as also a 4^th great writing booke in which is an exposition on the Prophecy of Daniel of the Revelations & the Prophecy of Hosea not long since began, all which Bookes are written with my owne hand so farr as they be writt & could desier that some able scholler or two that is active and dilligent & addicted to reading and writing were ordered to carry on the same worke by degrees as they have leasure and opportunitie & in the same methode and way as I have begun (if a better be not advised to) at least if [**129.**] it shalbe esteemed for the profitt of it to young students (though not so to more able and learned Devines in these knowing times) worth the labo^r as I have & doe finde it to my selfe worth all the paines & labour I have bestowed upon them, so that if I had 100^lb layd me downe for them, to deprive me of them, till my sight or life should be taken from me I should not part from them

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And because I perceive that the Elders of the neigboring townes have appointed certaine times in y^e^ yeare as chiefly in Sumer time once a moneth to meete together to confirr about ordering things in the Churches according to God & to debate about doubts or difficult questions that may arise, in matters of religion and such like and that they have noe place to meete in, but at one of our Elders houses nor nothing to refresh themselves with but of them w^ch^ may prove too great a burthen to our Elders (the meetings being so often and continueing constant) to beare of theire owne charge besides other burthens & inconveniences they may undergoe Therefore the roome before mentioned being fitted y^t^ they may meete when they please thereat I doe will and bequeath fower pounds a yeare to be payd out of some of my shops in Boston by quarterly payments w^ch^ may be ordered and disposed as the Eld^rs^ shall direct or advise to provide some refreshing for them when they meete or now and then dinn^rs^ as farr as it will goe & as themselves shalbe pleased to husband it, not that I would put upon my Executor the care of such provisions or of buying or dressing the meate, but that he should appointe w^ch^ shop should pay them so much & then they may appointe a steward of theire owne to receive the pay every quarter & then they to direct how it shalbe layd out or disposed of for that ende to there owne content, only I would p^r^misse this if there meeting be only in the Sumer & not in the Winter as I conceive then my will is that they should receive this fower [**131.**] pounds every Sumer, by forty shillings a quarter as that which wilbe most convenient for there meeting, and this gift of fower pounds p anno I give for the space of Ten yeares from the time of my death, if that meeting continue so long in that towne, hoping that before then some other may be moved to step in & to add so much more to it as may serve to provide a moderate dinner for every time of there meeting so that noe part of the charge of it may lye upon themselves and when the 10 yeares is ended I doubt not if my son be then liveing here (& my buildings continue as now, that he would continue this gift of myne longer if that meeting continue longer & proves by experience to be much for the good and advantage of religion & the churches as is intended & not to the hurt & p^r^judice of the same

And if a convenient fayre roome in one of the buildings before mentioned be sequestered & set a part for an Amory & the meeting of the Artillery if there it be thought convenient or if some other place be provided for that use more convenient, with the Officers of that Companys advice, I am not strict for the very place so they have content in it, though yet I thinke the very hart & securest part of the towne (& noe out or by place) is the most fitt for a Magazene for Armes because of the danger of surprizing of them, the place that they now use wilbe fitt, to scower & tend the Armes in & the other to lay them up & keepe them in, which wilbe a comely sight for straingers to see & a great ornament to the roome & also to the towne where [**132.**] the souldiers may arme themselves every time they goe to exercise, such a place being provided I give & bequeath five pounds for the incouragem^t^ of that Company to be layd out in Pikes & Bandal^rs^ for the use of such souldiers of that Company that live in other townes, so farr as it cannot be convenient for them to bring there armes w^th^ them, or if the Officers of that Company doe know any other thinge that the Company wants that wilbe more usefull for the generall good of the Company then what I have mentioned that will continue & not be spent or consumed in the use, then I am willing that the whole or any part of this legacy may be so disposed of takeing in the advice and consent of my Executor in the same.

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Now concerning the originall legacy of Three hundred pounds that I have given to the Towne of Boston for the raysing of a Cundit in the Market place & for a building to fitt for such uses as I have before mentioned, if any shall alleadge that three hundred pounds is not sufficient to accomplish it I answ^r^. 1. That it may be some of these may be gone about & finished by

y^e^ Towne before God may call me out of this world as y^e^ Cundet or m^r^ket house &c. & then there wilbe the lesse to doe and I know that the Towne hath agitated it & seriously intended to have gone about to doe them all except only y^e^ library, as such things that are needfull & will turne to the publike advantage of the Towne. 2^ly^. I say that I conceive if it be well managed & ordered it may doe it all or very neare it. I suppose one of the two last houses that I built hath roome enough in it to accomplish all the ends before mentioned excepting the Cundit, if it had beene first contrived & thought on for such an ende, yet that hath not cost me 400^lb^, not by so much as I suppose [**140.**] will neare build a new Condit, but Thirdly if it should fall short I doe expect & suppose that the Towne wilbe willing to add to it & make up the rest either by enlarging of the Conveniencyes or beautifying the structure for the better ornament of the towne & possibly some else may thinke of some other thing wanting, that may be as usefull to the genn^r^all good of the towne as most of these to be added to it, w^ch^ I have not thought upon, besides if I were about to build a thinge that I conceive would be very usefull & advantagious to me but am not comfortably able to beare the charge of it, if any freind out of love to me would lend me 300^lb^. some considerable time gratise it would be a great incouragement to me to goe on with the worke, but if he should offer to give me freely 300^lb^. towards it I should think my selfe bound to be very thankefull to him and to be willing to make up what is wanting rather than I would loose so free a kindnes by my neglecting of the worke.

But possibly some wilbe ready to apprehend that I may doe this only for my owne endes & benefitt w^ch^ may make them the more backward to have it goe on especially with any of there owne Cost, for some such spiritts there be that had rather deny themselves a benefitt then that another should enjoye a greater benefitt by it, as some have said that I have beene very forward to have a Cundit in y^t^ place because I have so many houses & buildings there about & so a Market House [**141.**] wilbe more the beneficiall to bring trade to my shops. I answ^r^ putt case that this were in all things true, it is not sinefull nor unlawfull in Christian prudence to pvide meanes for the p^r^venting of danger or procureing of any lawfull good, I doubt not but they would doe the like if it were their owne case. But 2^dly^ what advantage will this be to me when I am dead and gone, if others should not receive more benefitt then I by it I need not trouble my selfe with what may fall out in after times, in these respects for I shall feele no want, nor suffer any damage by such losses & a 100 things would come into consideration as needfull to p^r^vent or provide for as these, if men goeing out of the world should trouble themselves with the care of such changes and things that may happen when they are dead 3^dly^ If my housen only were there & no other shops but myne, there might be more ground for such an apprehension, but it is the heart of the towne and many fayre buildings & shops there be round about, the Market is there seated allready, the Market house is more for the conveniency of strang^rs^ & there accomodation in winter and sumer in wet & dry there for the inhabitants of the towne & in that respect it is a worke of charitie and mercy and though some pticular psons that trade may have more benefitt by it then some other psons that dwell further off, yet the advantage & profitt of it will redound to the whole towne in genn^r^all and for my owne pticular I haveing given over trade [**142.**] long agoe) the nearenes of the market is more chargeable than beneficiall to me, if I looked not at a genn^r^all & publike good, more then my private & for the Cunditt I confesse it is very necessary & usefull in many respects, especially in danger of fyre & well it were if there were more of them in the towne then there is, but that it wilbe more beneficiall to me or that I shall have more neede of it then others who can tell, who knowes y^t^ my house alone shalbe sett on fyre, God may p^r^serve myne though divers others may be consumed, as it fell out lately by sad experience, had there beene a Condit in the Market place before, then would it not have beene looked at & found to be a publike good, might not

some of the houses beene saved that were consumed more worth then the charge of setting up three or fower such Conditts, nay if the fyre had gone on in its rage as it was most like (had not God in unexpected mercy p^r^vented it) & ceased upon others houses as it threatened to doe, the whole towne would have had cause to thinke & to have bewailed the want of it) that such a Conditt was a publique good & the want of it a publique evill though some pticular psons might have had the benefite of it at that time more than others, and at some other times others might have had more neede & more benefitt by it than they but if my houses & shopes stoode alone or if I only should need & not others, if it were for my owne private & not for the publique good of others, I would build a Condit & a Market house. too it there were neede [**143.**] at my own charge without calling in the helpe of others & I thinke if my owne heart deceive me not, my ayme in all these things proposed is for the genn^r^all good of the towne & that if I had noe house thereabouts but had lived in some other part of the towne, I should be as forward to promote these workes as I have beene formerly or am at this p^r^sent, so I should desire all my loveing brethren & neighbo^rs^ of the towne to interp^rt^ & accept of what I tender to them, as a fruite of my true endeavo^r^ & desire of the townes good & not at any private advantage of me or myne & as one y^t^ have beene willing & desireous to helpe them forward in my life-time rather than death, And for that legacy of one hundred pound before mentioned for y^e^ Grannere to begin a stocke for a publique magzine of Corne for the towne or cheifely the poorer sort in it, now what private ends or advantage can any one apprehend I can have in that when I am dead & so for the library & armory & Plattforme & Butt for the incou^r^agem^t^ of the Artillery Company & or free schoole or what I had set apart form^r^ly. for the trayning up of the Indians Children in learning & some English scholl^rs^ to learne the Indian Tongue, now if these cannot but be interp^r^ted for a publique and genn^r^all good to the towne why should any conceive otherwise of the other, for the Conditt there is none in the markett place & if such a worke be needfull in any p^t^. of the towne, it is 5 times more needfull there [**144.**] & so for the market house except there were more publique markets set up in some othere p^ts^. of the towne & though God hath beene pleased in some measure to carry me on with a publique spirit to seeke the good of the towne according to that a^b^illity which God hath beene pleased to afford unto me though I am not able to doe according to the largenes of my desire hopeing that God will raise up some others after me, of abler estates & opener hearts & hands to add larger additions to these weake beginnings or to begin some others that may be more usefull than these.

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And for the Three hundred pounds which I have given to the Towne of Boston to build a Condit, a Market house & Towne house with a Library Grannere & Armore, as I have before mentioned if the towne of Boston shall slight or undervalue this gift or my good will to them therein & shall refuse or neglect to goe about & finish these sev^r^all buildings in manner & time before mentioned rather than they wilbe troubled with it, or add anything of theire owne for the finisheing of it, then my will is that this gift of 300^lb^. given to Boston for the uses of those buildings before mentioned shall utterly cease and become voyd in respect of Boston & those giftes that I have given with relation to those buildings as my Bookes to the Library &^c^. or any others of them that I have [**153.**] not before provided for & ordered shalbe & remane to the sole use of the Collidge at Cambridge in the same manner that I have ordered the former 120^lb^. in Corne for the poore in Boston, in case the Deacons or Towne shall refuse or neglect to give security for the principall stocke as before is mentioned.

My true meaning herein is this that if the Towne of Boston shall sett upon one or two of these workes & neglect or refuse to carry on the rest (or some of the other that I have mentioned happely being done by the Towne before

I dye) as if they should build only the Condit & Market house & not a Townes house or Library & Gallere or a Grannere & Armore & not a Condit or Market house &c. then my will is that my executor shall give only such a proportion of this Three hundredth pounds as that worke or building shall come too, wch they set upon only in relation to this gift of myne, compared with the value of the other buildings that I have likewise mentioned but they have left undone & that what upon that account shalbe reserved of the 300lb. shalbe for the use of the Collidge of Cambridge, as I have given the whole 300lb. in case they refuse or neglect to finish all those buildings or any of them within two or three yeares after my death as before I have ordered.

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And concerning my bookes that I have given to begin the Library with all in Boston, my will is that my brother Willson & Mr Norton Eldrs at Boston or the teaching Eldrs that shall at the time of my death (after my wife and son Benjamine have made choyce of some bookes for theire owne use as I have before expressed) may be requested to take paines to view over the rest of my bookes & such as they shall judge fitt for that use to take a pticulr note or inventory of them & so to take them into there owne keeping or to leave them with my executor if they will, till the time mentioned in this will be accomplished, that if the towne of Boston should not within three yeares after my death build a handsome roome for a Library & anothr for the Eldrs & Schollrs to walke & meete in, as before I have expressed, that then they may [**157.**] be delivered to the President or some of the Overseers of Herbert Collidge in Cambridge to be placed as my gift or addition to that Library that is already begun there.

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Therefore I doe here againe declare all that which is contained before in nine sheetes of paper writt with my owne hand in all the sides thereof & more particularly expressed in the 36 page yr of with all that is added to it in this page 37 to be my last Will & Testament & my son Major Benjamine Keayne to be sole executor thereof & my loveing freinds mentioned in the lower ende of page 36 to be the overseers of it.

In Wittnes whereof as there so here againe I have putt to my hand & seale in the prsence of these whose names & handes are hereunder written this December 28, 1653

ROBERT KEAYNE & a seale

JOHN WILLSON
RICHARD PARKER
EDW TING
ROBT HULL
EDW FFLETCHER

[**274.**] Att a County Court held at Boston 2d of May 1656
Mr John Wilson Sen. Mr. Richard Parker & Mr. Edward Tyng deposed before the Court that Capt Robert Keayne at ye times meñtoned in the thirty sixt page & thirty seventh pag. did call them in and declared these nine sheets of paper & one page to be his last will & testament & sawe him signe and seale the same & yt they know of no other will wch was approved of by ye Court as attests

EDWARD RAWSON Recorder

[In Margin, page 273.]
At a County Court for Suffolke heldat Boston
29th Januro Ao 1683

The Executors within nominated of the last will of Captn Robert Keyne sometime of Boston decd hereto annexed being both dead! Power of Admcon of ye estate of sd Capne Keyne is granted unto Mr Nicholas Paige and Anna his wife Grand daughtr of sd Robert Keyne to pursue the performance of his will in what remains to be done therein, they to give Bond of one thousand pounds to execute the same, their own bond being accepted by ye Court is accordingly taken

Attest ISA ADDINGTON Clre

APPENDIX I.

THE FIRE IN 1747.

[On pp. 57–58 we have given two contemporaneous accounts of the destruction of the House, by fire, in 1747. The following description is worthy of preservation as containing some additional particulars.]

From the Boston Gazette, or Weekly Journal: No. 1343. *Tuesday, December* 15, 1747.

"Last Wednesday Morning this Town was exceedingly surprised by a most terrible Fire which broke out at the Court House, whereby that spacious and beautiful *Building, except the bare walls, was entirely destroyed:* The Rise and Progress of which, according to the best Information we can get, is as follows, viz.: The Day before being very cold, and the General Court sitting, there had been two fierce Fires In the *Chimnies* of the *Chambers both of the Council and Representatives;* and from those Chimnies between them the Fire seems to have been kindled, and to have been lurking all Night in one of the Beams beneath them, till it first broke out in the Deal or Cedar Wainscot *passage between the Doors of those Chambers*, which were of Deal or Cedar Wainscot also.

"For at Six in the Morning the Watch at the East End of the Town House broke up; and between five and ten Minutes after, the Rays of the Fire first discover'd it in *the said Passage* through *the great Window against it*, by glancing into the Chambers of the Houses on the North side of the Town-House, where two or three People were awake; and running to the Windows first saw it *There;* but it quickly broke into the Council Chamber, and run up the Deal Wainscot *Stairs into the Loft and Lanthorn above*, and set them *all in a Blaze, before the People came either to manage the Engines, or save the Province Records, Books,*

Papers, Plans, Pictures, or anything else in the Chambers or Apartments, to the inestimable Loss of the Province.

"But thro' the Mercy of GOD the County Records under the *Western Staircase below* and Part of the Province Records under the *Eastern Staircase below*, as also COPIES OF THE MINUTES OF COUNCIL FROM THE BEGINNING TO 1737, *being at the Secretary's dwelling House are happily saved.*

"In the *Cellars* which were *hired by several Persons*, a great Quantity of Wines and other Liquors, were lost, to the amount of several Thousand Pounds. The Vehemence of the Flames occasion'd such a great Heat as to set the Roofs of some of the opposite Houses on Fire, notwithstanding they had been covered with Snow, and were extinguished with much Difficulty."

APPENDIX J.

BILL FOR PAINTING THE STATE HOUSE, 1773.

The following interesting document is printed from the original in the collection of Mellen Chamberlain, Esq., of the Boston Public Library: —

1773. Province Massachusetts Bay to Thos. Crafts, Jun. Dr.

To painting State House, Viz.

To paints Council Chamber Loby, &c., 402 yards @ 9d.,	15.. 1.. 6
To Ditto Representatives Ditto, 426 yards @ 9d.,	15..19.. 6
To my self & 2 hands, 2 Days and half, taking down & putting up Picturs in Council & Representatives Chambers @ 5/,	1..17.. 6
To painting & Gilding Kings Arms,	10.. 0.. 0
To Ditto Ditto Colonies Do,	4.. 0.. 0
To Ditto Codfish,	0..15..
To Ditto & Gilding Dial, East End,	3..10.. 0
To Ditto Bricks as pr Agreement,	47.. 0.. 0
To Ditto lower floor, pr Ditto,	14.. 7.. 4
To Ditto Stair Cases, 208 yards, @ 9d.,	7..16.. 0
May To 4 Hands, Cleaning & scraping Do., 1 day @ 5/,	1.. 0.. 0
25th To painting Belcony & Pedemint over it, 80 yards @ 10d.,	3.. 6.. 8
To Ditto 10 Lutherin Windows @ 8/,	4.. 0.. 0
To Ditto 8 Cants, 30 yards @ 10d.,	1.. 5.. 0

To Ditto 2 Carved Corner Pieces,	1.. 0.. 0
To Ditto Lyon & Unicorn,	1.. 8.. 0
To Ditto 3 Pediments over Doors, 30 yards @ 10d.,	1.. 5.. 0
To Ditto 54 Window frames, very Dry, @ 4/,	10..16.. 0
To Ditto 1442 squares sash @ 12d.,	12.. 0.. 4
To Ditto 4 Ox Eye Window frames @ 1/,	0.. 4.. 0
To Ditto Mondilion Cornish outside, 160 yards @ 10d.,	6..13.. 4
To Ditto Trunks, 50 Yards @ 10d.,	2.. 1.. 8
To writing Gold Letters over Doors,	12.. 0
To 2 Hands half day, bringing Picturs from Govrs & pungs up,	5.. 0
To paints 2 Doz Draws,	4.. 0
To Ditto Rails down front Steps, 4 hands 2 days,	3.. 0.. 0
To cleaning Gov Burnets Picture & Gilds frame,	1..16..
	£171.. 3..10
60 yards painting short chargd @ 9d.,	2.. 5.. 0
	£173.. 8..10

APPENDIX K.

GIFTS BY THE STATE.

By chapter 47 of the Resolves of the Legislature, approved June 2, 1883, it was

"*Resolved*, That the Governor and Council be, and they are hereby, authorized to transfer to the City of Boston any old furniture or other articles used in or identified with the Old State House."

Acting on this authority the old table formerly in use by the Governor and Council was transferred to the old building. The following letter accompanied the gift: —

COMMONWEALTH OF MASSACHUSETTS.

EXECUTIVE DEPARTMENT,
BOSTON, Dec. 8, 1883.

To the City of Boston: — At the request of the City of Boston, through its proper officers placed in charge of the "Old State House," and with the ad-

vice and consent of the Council, I have sent herewith, to be preserved in that building, by the custodians, the table of the Executive Council before the Revolution, which was removed to the State House, and kept in the use of the Council, during the occupation of the present State House, beginning from the opening of the present century. After a careful examination of the records of the Executive Department, and the office of the Secretary of State, I believe there can be no doubt of the verity of the table returned herewith, excepting only change because of repairs.

BENJ. F. BUTLER,
Governor.

[SEAL] Witness the Seal of the Commonwealth,
HENRY B. PEIRCE,
Secretary.

There is no doubt that this table was in use in the old building, as the records show repeated repairs upon it, but no purchase of a new table, until recently, when the one in use was bought. Its framework is very old, though the top is more recent. The centre is made of black-walnut, and on that account its age was questioned. Investigation, however, showed that the use of this wood for ornamental furniture dates back at least to the middle of the last century.

The State officials also sent various old chairs, a portion of the old chandelier, a secretary, and a case for papers or books inscribed, "The Gift of ISAAC ROYAL, Esq^r of Charles-Town."

APPENDIX L.

THE COURT HOUSE, THE JAIL, AND THE CITY HALL.

As has been stated in the preceding pages, the Courts for the county of Suffolk were held in the old Town House, until it was burnt in 1747, with occasional sessions, when necessary, in the First Church building or elsewhere.

When the interior of the Town House was rebuilt after the fire of 1747, a room was reserved for the use of the Courts on the westerly end of the second floor. It was undoubtedly the north-westerly corner, and there was a stairway and lobby in the north-easterly corner, with an entrance to the west end of the Representatives' Hall.

The dimensions of this Court Room[1] cannot now be accurately

[1] The following extracts from the Court Records show that the Court claimed ownership of the room after removal.

At a Court of General Sessions of the Peace held at Boston, on Tuesday, May 2, 1769, it was

"*Ordered*, that John Ruddock, Belcher Noyes and Samuel Pemberton be and they hereby are appointed a Committee to cause the Stairs in the late Court Chamber in the Townhouse, so called, leading up to the Gallery there, to be immediately taken down; that they cause the Door leading into said Chamber to be lock'd and so Secur'd as that no person shall Enter said Chamber, without the leave of this Court or the Consent of the Committee: and said Committee are directed to Open the other Stairs leading up to the Gallery.

"The said Committee above named declining to Act in the above affair, *Ordered* that Richard Dana, Joseph Williams and John Tudor, Esqr. be the Committee for the above Purposes."

At a Court held at Braintree Tuesday, Oct. 1, 1776, "Thomas Cushing Esqr. is appointed to inform the General Assembly of this State that this Court consent that the Chamber at

fixed, except that it was *over* eleven feet in width, east and west, and was limited, north and south, by the above-named stairway. Considering the large needs of the House of Representatives, it does not seem unreasonable to imagine that this Court Room was not over fifteen feet north and south, and perhaps twenty feet east and west. It should be remembered that we hardly know the purpose for which this room served. The clerk's offices were on the floor below, the jury-room must have been elsewhere, and for all important trials the Representatives' Hall itself was available.

However, for about twenty years the Courts were established within the walls of the Town House. The following items from the Court records bear upon this period: —

At a Court in Boston, Feb. 10, 1746–7, it was ordered that 12*s.* 9*d.* "be paid unto Mr. Benjamin Russell for setting up a Bar in Faneuil Hall, p. order of both Judges of the Sup. Court, for the Tryal of persons indited for murther."

At the same time £3.16..6 was allowed to Onesiphorus Tileston for work and materials in the Clerk's Office of this Court.

Oct. 31, 1748, £5 was paid to Richard Hubbard for tolling the bell, sweeping the house, &c.

Nov. 9, 1748, £2..3..7 was paid to Thomas Parker for "work and stuff in mending the Chimney in the office at Faneuil Hall."

March 6, 1748–9, £2..12..0 was paid to Mr. Robert Stone "in full of his Account for the Courts sitting at his house."

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the West end of the old Court house be taken into the Assembly Room, the State paying the County therefor such a Sum as the Assembly shall think just and reasonable."

At a Court held at Boston, Tuesday, April 15, 1777, "*Ordered*, that such of the Members of this Court as are members of the Great and General Court of this State, shall be a Committee to Apply to said Great and General Court for such a Grant as they may think reasonable, for the Room belonging to this County in the Old Court House, which was taken into the Room used by the House of Representatives for the enlargement thereof."

Dr. Moore states that notwithstanding the above vote, no recompense was made to the Court or the County, until the final settlement in 1803, by which the town of Boston paid all claims. (*Ante*, p. 102.)

May 15, 1749, £19 was paid to William Clear, "in full of his account for the Courts sitting at his house in January and February last." Also £10 to Benj^a. Bagnall, "it being in full for the several Courts of Justice sitting in the Quakers Meeting house to this day."

At an adjournment of a Court of Gen^ll Sessions on Friday the 28^th of July A.D. 1749.

"The Mem^o of Middlecott Cooke & Ezek^l Goldthwait the Clerks of this Court setting forth that when the Town house was Consumed in Dec^r. 1747, they took all possible pains to preserve the publick Records & Files of the County then in their office, that in removing the same out of the Townhouse the Files of Writs Executions & other papers belonging to the County were most of 'em broke & so intermixed that there was scarce a whole file of Papers together for near Seventy or eighty years past, that upon the Mem^o informing this Court thereof, the were pleas'd to order the Mem^o to Sort the Files & papers & put 'em into order which they have accordingly done & in doing there of have taken great Care & been put to a considerable Expence of time, praying this Court to make them such an Allowance therefor as they shall think reasonable was read & thereupon Ordered that Sam^l Welles Sam^l Watts Sam^l White Joseph Heath & Samuel Miller Esq^rs be a Com^te. to take s^d Mem^o. into Consideration & report to this Court as soon as may be (word left out — piece torn from book) they shall think reasonable sho^d be allowed the Memo. for said Service."

At an adjournment of a Court of Gen^ll Sessions on Wednesday the 9^th of Aug^t. A.D. 1749.

"The Committee appointed the 28^th of July on the Memorial of Messrs Middlecott Cook & Ezek^l Goldthwait reported that they were humbly of Opinion that there be allowed and paid out of the County Treasury Sixty five Pounds bills of the last Emission to the Memorialists for their Services as set forth in said Memorial

which report was read & accepted & there upon it was Ordered that said Sum be paid out of the County Treasury accordingly."

Feb. 9, 1749–50. £26..1..9 was paid to William Doane, Esq., "it being for Curtains and Cushions in the Court Chamber."

July 29, 1751. "*Ordered*, that a suitable Bell be provided at the Charge of the County, to be placed upon the Court House for the use of the Courts of Justice here."

Feb. 10, 1752. £5..7..2 was paid to Robert Stone "in full of his account for the Courts sitting at his house in January last."

May 13, 1752. Joshua Winslow, Esq^{r}., was paid £23..3..9 for the bell he had provided, and Middlecott Cooke was "desired to fix said Bell on the Roof of the Court house, in such manner as he shall think proper."

Jany. 2, 1753. "*Ordered*, that the Sheriff of the County be directed to purchase a Dutch Stove and fix the same in the Court-house for the Comfort and Convenience of the Court in their Sessions in the Winter Season."

Jany. 28, 1754. "The Committee appointed the first day of this sitting of this Court, on the Memorial of Thomas Hutchinson, Esq., Judge of Probate, reported that they had Viewed the Land in s^{d} memo. mention'd, and were of Opinion that a Convenient Brick Building for the Probate Office might be erected in the front of said Land, adjoining to the County Gaol, and thereupon It is Ordered that John Fayerweather, Joshua Winslow and Joseph Dowse, Esq^{rs}. be and they hereby are appointed a Committee to Erect a Brick Building on said Land for an Office for the Judge of Probate for this County, and that they do it in the most convenient manner and at the cheapest Rate they can."

Dec. 3, 1754. The committee reported that they had built and completed said office for the Judge of Probate. The expense seems to have been about £250.

May 14th, 1756.

"The Petition of John Payne and John Cotton Registers of the Court of Probate, for the County of Suffolk — Setting forth That the Walls of the Office of said Court were so damp that your Petitioners apprehend they Endanger their health thereby and that the papers & Records of said Office are very much exposed to the dust and Rot more especially since they have Made use of Sea Coal firing, they further beg Leave to Represent to this Court that they are at Considerable expense in providing Coals which they humbly apprehend Ought to be a County Charge, and are Informed is so with Regard to the Clerks Office of the Court of General Sessions of the peace for the sd County. And Your petitioners would hope that they are equally Entituled thereto, and therefore prays that the Court wou'd have Consideration thereof, Which Pett^{n}. was Preferd to the Court in January last, at Which time Joshua Winslow and Joseph Dowse Esq^{rs} were appointed a Committee to make Enquiry into the Necessity thereof, & make report to the next Court, Which they have Accordingly done, in the Words following

"We the Subscribers being appointed to View the Office within mentioned are of Opinion that it Would be of Service to have Glass doors placed before the Books and papers, also to have the lower part of the Wall lin'd with Boards, Also some alteration in the Chimney, — Which Report after being Read to the Court Was Accepted by them, and Joshua Winslow and Joseph Dowse Esq^{rs} are desired to see that the Several things Reported, be done."

It will thus be seen that the first movement towards separating the Courts from the Town House was to build an office for the Judge of Probate on land near the Jail, in 1754.

This land was set aside for public use at the original settlement of the town, and called the Prison lot. The lot was bounded by

the street now Court street, with house-lots east and west of it. The annexed engraving shows the relative position of the lots, but evidently the strip from School street to Court street, covered by our present City Hall and Court House, has always been used for public purposes.

THE JAIL.

I am not aware of any description of the Jail as it stood until 1766.

The following extracts from the Court Records show the proceedings in regard to the rebuilding of the Jail: —

Tuesday the thirtieth day of July A.D. 1765.

Order'd that Samuel Welles Samuel Watts Foster Hutchinson John Ruddock and William Story Esq^{rs}. be and they hereby are appointed a Committee to Consider what is best for the Court to do, with respect to building a new Court house, & new Goals, & report their Opinion thereon as soon as may be. ——

Friday the 9th. day of August A.D. 1765.

The Committee appointed the 30th. of July to Consider what is best for the Court to do with respect to the building a new Court-house and new Goals, report that they Judge it absolutely necessary that a new Court house and a new Goal should be built as speedily as may be, and that the Lands belonging to the County whereon the Goal and other Buildings stand are full sufficient & convenient for that purpose, — After mature Deliberation thereon,

Order'd that a New Goal for Criminals & Debtors be built on the Lands belonging to the County situate in Queen Street in Boston, and that the same New Goal be built in the Rear of said Land, and to extend the Wedth thereof as near to the extreme

bounds as conveniently may be, so as not to go on the East & West lines. ——

Order'd that Samuel Welles, Samuel Watts, Foster Hutchinson, John Ruddock & John Tudor Esq^{rs}. be, and they hereby are appointed a Committee for building said new Goal, and they are desired to Provide the Materials, Agree with the Workmen, and do every thing necessary for Effecting the same, as soon as may be.— And said Committee are hereby directed & Impowered, if they find it most for the benefit of the County, to hire Moneys for carrying on s^{d}. Building & pay Interest for the same, & that the County shall be chargeable for repaying the same — The Consideration of Erecting a new Court house is referr'd over to the next Sessions. ——

Joshua Henshaw Esq^{r}. Treasurer of this County, Inform'd the Court, that his Acco^{ts}. have been laid before the General Court at their last Session, & Approved of, and that it is necessary a New Tax should be laid on the several Towns in the County for defreying the Charges of the ensuing year, The Court taking the same into Consideration, as also the extraordinary Expence the County will be at in Erecting & Compleating a New Goal for Criminals & Debtors, Order that the sum of One Thousand five hundred pounds lawful money be Rais'd for the purposes aforesaid, and that the Clerks of this Court Issue Warrants to the several Towns in the County, for each Towns Proportion thereof according to the last Tax Act, the same to be paid in to the County Treasury, on or before the last day of May next.

The Several Towns Proportion is as follows Viz^{t}. ——

Boston - - - - -	£818..15..10	Wrentham - - - - -	£54..18..4
Roxbury - - - - -	88..18..9	Brookline - - - - -	24..10..10
Dorchester - - - -	55..	Needham - - - - -	22..10..—
Milton - - - - -	36..11..8	Stoughton - - - - -	48..18..4

Braintree - - - - -	70..16..8	Medway - - - - - -	20..2..1
Weymouth - - - -	35..13..4	Bellingham - - - - -	12..3..4
Hingham - - - - -	72..7..6	Hull - - - - - - - - -	7..
Dedham - - - - - -	62..7..6	Walpole - - - - - - -	21..7..6
Medfield - - - - - -	28..9..7	Chelsea - - - - - - -	19..8..9

Fifteen Hundred Pounds in the whole. —
Warrants issued August 15th: 1765.

Tuesday the sixteenth day of April A.D. 1766

Stephen Greenleafe Esqr. Sheriff of this County mov'd that a Committee may be appointed to Inspect the County Goals as the same were much out of repair, Order'd that the Committee appointed to Erect a new Goal, be desir'd to Examine sd. Goals, & do what they shall Judge necessary for the present in repairing the same.

Tuesday the eighth day of July A.D. 1766.

Order'd that Stephen Greenleafe Esqr. Sheriff of this County forthwith remove all such persons as are now confin'd in the Stone Goal in this County into the wooden Goal, & there secure 'em in the best manner he can, & there keep 'em until they are set at liberty by this Court, or otherwise by Order of Law, & for which this Order shall Justify the Sheriff, — it being found absolutely necessary to take down said Stone Goal. ——

Tuesday the twenty Seventh day of January A.D. 1767.

Order'd that the sum of Five Hundred Pounds be paid out of the County Treasury unto Samuel Welles Samuel Watts Foster

Hutchinson John Ruddock & John Ruddock & John Tudor Esq^rs. the Committee appointed by this Court to build the new Goal, to Enable them to carry on the same the said Committee to be accountable to this Court for that sum. ——

January 27, 1767

Ordered that the sum of twenty four pounds seventeen shillings & seven pence, lawful money, be allowed and paid out of the County Treasury unto Isaac Braddish, under keeper of His Majesty's Goal in Cambridge in the County of Middlesex, it being for the Subsistence of several prisoners in said Goal, who were by Order sent from the Goal in this County to Cambridge Goal, during the time the new Goal was in building, as by said Braddish's account which has been Examined by the Court and is on file.

Tuesday the fourth day of October A.D. 1768.

Order'd that Joshua Winslow Edmund Quincy & Belcher Noyes Esq^rs. be and they hereby are appointed a Committee to Audit the Accompts of Samuel Welles, Samuel Watts, Foster Hutchinson, John Ruddock & John Tudor Esq^rs. the Committee appointed by this Court on the ninth day of August 1765. for building a New Goal, & they are desir'd to make report of their doings thereon, after they have compleated the same. ——

Under date of May 2, 1769, a committee was appointed to audit the account of the New Gaol in Queen street, which was "begun the twelfth day of August 1766 and finished the twenty day of March 1767." They reported the whole cost to be £3466..13..9½.

But prior to this settlement the new Gaol had been greatly in-

jured by a fire, set, as was reported, by the prisoners. The record is as follows: —

"Suffolk ss. At a Court of General Sessions of peace held at Boston within and for the County of Suffolk, by Adjournment, on Tuesday the thirty first day of January AD 1769. —

"His Majesty's Justices present — viz^{t}. —

"Whereas the Inside part of the New Goal lately built was in the Night following the thirtyeth current intirely Consumed by Fire, no part therof but the stonewalls being left, and this Court judging it absolutely necessary that the same should be Rebuilt as soon as may be, Upon Consideration thereof Order that Joshua Winslow Foster Hutchinson & John Tudor Esq^{r} be and they hereby are appointed a Committee to Rebuild said Goal, to provide the Material, Employ the Workmen, and do whatever they shall think best for — compleating the same as soon as may be, and the said Committee are hereby directed and fully Impowered (if they think fit) to hire monies for carrying on said Goal, and pay interest for the same, and that the county shall be chargeable for such sums as they shall so borrow and the Interest thereof and the Treasurer of the County for the time being is hereby directed to pay all such monies as said Committee shall borrow, and the Interest that shall become due thereupon.

"Order'd that Bridewell house in the Town of Boston be the common Goal of the County, until such time as the above Goal is rebuilt, and the above Com^{tee}. are hereby directed to make such Repairs & Alterations as may be necessary for the safe Custody of all such Persons as shall be there committed.

"Order'd that the Sheriff of this County provide Cloathing & such other things as may be necessary for the comfort and support of such poor Prisoners as were in the Goal when the same took fire, some of 'em being much burnt, & that he bring in his acco^{t} thereof to this Court for allowance."

Oct. 16th, 1770, the auditing Committee on the rebuilding of the Gaol reported that the whole cost of the repairs was £1043..19..4, and £30 additional was allowed to the Committee in charge of the work.

Pemberton, in 1794, writes: "The new Stone Jail is a large, commodious building, and stands on the ground where formerly was a wooden building called the Debtor's Jail, a little back from Court (formerly Queen) street. The inside was set on fire by some prisoners confined in it, the 30th June,[1] 1769. It has since been repaired, is three stories in height, and is divided into three parts with brick partitions, cased with plank and iron. The upper story is appropriated to debtors. The entrance to the Jail is by three strong doors in front."

Shaw, in 1817, adds that the Jail was 90 feet long and 23 feet broad and was four stories high.

This building was in use until 1822, when the Jail in Leverett street was finished and occupied. Snow says that "in 1823 the old gaol was taken down and its materials were partly used in constructing the Gun House and Ward Room on Thatcher Street."

In 1851 or 1852 this Jail was given up and the present large, stone building was erected on Charles street.[2]

From this necessary digression we will now return to the history of the Court buildings.

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[1] This was a clerical error for January. — W. H. W.

[2] The following extract from Bowen's Picture of Boston, 1829, gives a description of the Jail which I have not met with elsewhere.

COURT HOUSE, JAIL, AND HOUSE OF CORRECTION.

"The County Jail in Leverett street and the House of Correction connected with it, and the Municipal Court House, are three separate edifices, all of which are handsome stone buildings. Perhaps there is not a building in the world made more secure. The walls and

THE COUNTY COURT HOUSE.

Soon after the completion of the Jail, in 1767, it was decided to erect a Court House in the same neighborhood.

For this purpose the Probate building was demolished in 1768.

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floors are composed of large blocks of hewn stone, which are firmly bound together with iron; and between the courses loose cannon balls are placed in cavities made half in the upper and half in the lower blocks, as a further security. Several years elapsed after these were commenced, before they were finished and occupied, which was in 1822.

"Before leaving this subject it may be proper to say something that will convey an idea of the internal economy and regulations of these abodes of wretchedness. The inmates of the House of Correction are generally sent there by the Police Court, though many are ordered there by the Municipal Court. A great proportion of this class of prisoners are confirmed drunkards,—or notorious for their disorderly and immoral lives. The women, from very young girls to those of an advanced age, who are sometimes collected there, are mostly employed in making men's clothing, excepting one day in the week, which is set apart for washing. They are kept orderly, under the care of experienced managers of such people, and their work is laid out and superintended by females of good character. The men, confined in the House of Correction, are ordinarily employed in breaking stone, suitable for repairing and Macadamizing the streets. They work with a ball and chain, generally, if notoriously bad, to prevent escape. In cold or rainy weather, they pick oakum in the middle story of the Jail. These prisoners are under the immediate charge of a careful man, whose humanity towards these unhappy creatures is greatly to be praised. The debtors, in close prison, occupy the rooms in the third story of the Jail, where they are accessible by their friends, at all hours of the day, by steps leading to a balustrade under the windows.

"Prisoners who are waiting trial, as well as those who have been condemned, are principally lodged on the lower floor of the Jail. The food of the prisoners consists, principally, of fresh beef, flour bread, and a kind of broth, technically called skilly, made by thickening the liquor in which the meat has been boiled, with Indian meal. In case of sickness, however, a diet is directed by the physician, according to the wants and necessities of the individual. The aged and infirm, as well as those who are debilitated by intemperance or disease, are allowed tea, rice, broths, &c., daily, besides other comforts, which it were unnecessary to particularize. A physician whose salary is fixed by the Board of Accounts at $200 per annum, visits the prison daily, and prescribes according to his best skill and judgment. The apothecary room, though small, has a well-assorted case of medicines. In this room a diet book is regularly made out, for the sick of the day. The directors also hold their meetings in the same room, on the afternoon of each Monday. Religious services are held in one or both prisons, every Sabbath, by pious philanthropic divines. The immediate responsibility of the whole devolves on the jailor, Mr. Badlam, whose character, as a discreet and humane man, and as a superintendent over this necessary, but gloomy reservoir of misery, has long been acknowledged by the community."

The following extracts from the Court Records show the progress of the enterprise: —

Tuesday the fifth day of May A.D. 1767.

The Committee appointed the 21st. of October last, to make Application to the General Court relating to the building a new Courthouse, reported that they had Prefer'd a Memorial to the General Court, & Confer'd with their Committee concerning it, but said Court has not yet done any thing thereon, It is thereupon Order'd that said Committee be desir'd to make such further Application to said Court for bringing this Affair to some final determination, as they shall think necessary & Proper & Report thereon to this Court.

Wednesday the 12th. day of June A.D. 1767. ——

The Committee appointed to make further Application to the General Court about building a new Court house, report that since the last sitting of this Court, they had Preferr'd another Memorial to the Court, & being largely heard — thereupon in the honble. house of Representatives, but are Informed that the house have done nothing thereupon.

Tuesday the eleventh day of August A.D. 1767.

Order'd that the sum of Five pounds eight Shillings and eight pence be allowed & Paid out of the County Treasury unto William Baker, in full of his Accot. for ringing the Courts Bell, sweeping the Court Chamber &c. for a year past, as by his Accot. which has been Examd. by a Committee & is on file. ——

Joshua Henshaw Esqr. Treasurer of this County Informed the Court that his Accots. were laid before the General Court at their last Session & approv'd of; & Pray'd the Court will now determine upon the Sum necessary to be rais'd for defreying the Expences

of the County, Upon Consideration hereof It is Agreed & Determin'd by the Court, that it will be necessary to raise the sum of Fifteen hundred Pounds by a Tax on the several Towns in the County, for compleating the new Goal & paying the other usual Charges of the County, And It is hereby Order'd that the Clerks of this Court Issue Warrants to the Several Towns in the County for Each Towns proportion thereof, according to the last Provincial Tax Act, the same to be paid into the County Treasury on or before the last day of May next.

The Several Towns Proportion is as follows — Viz^{t}.

Boston	£818 ,, 15 ,, 10.	Brookline	£24 ,, 10 ,, 10
Roxbury	88 ,, 18 ,, 9.	Needham	22 ,, 10 ,, —
Dorchester	55	Stoughton	32 ,, 19 ,, 10
Milton	36 ,, 11 ,, 8.	Medway	20 ,, 2 ,, 1
Braintree	70 ,, 16 ,, 8.	Bellingham	12 ,, 3 ,, 4
Weymouth	35 ,, 13 ,, 4.	Hull	7
Hingham	72 ,, 7 ,, 6.	Walpole	21 ,, 7 ,, 6
Dedham	62 ,, 7 ,, 6.	Chelsea	19 ,, 8 ,, 9
Medfield	28 ,, 9 ,, 7.	Stoughtonham District	15 ,, 8 ,, 6
Wrentham	54 ,, 18 ,, 4.		

Fifteen Hundred Pounds, in the whole.——

Warrants issued August 14 : 1767.——

Tuesday the 26th. day of January, A.D. 1768.——

The Petition of Sundry Inhabitants of the Town of Boston, praying that the wooden Shop adjoyning to the Probate Office in Queen Street may be removed, they apprehending said Office to be much endanger'd by Fire, in case said Shop is suffer'd to remain there any longer, It is thereupon Order'd that the

Sheriff of this County take care that said Shop be immediately taken down or removed to some other place distant from said office.——

Wednesday the fourth day of May A.D. 1768.

Order'd that the Brick Building Erected a few years since on the Land belonging to the County near the Goal in Boston, for an Office for the Court of Probate, be taken down, for the better Accommodation & Convenience of A New Court house.——

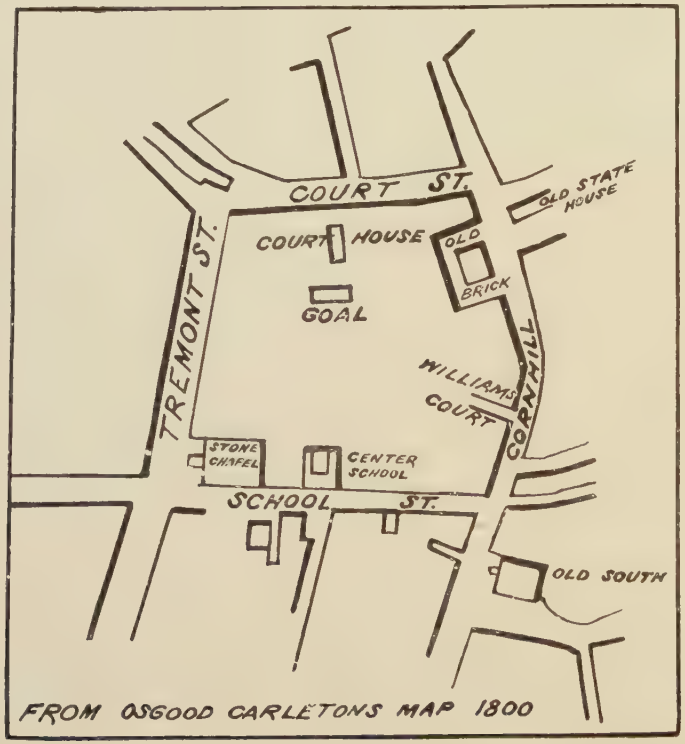
Whereas the Chamber wherein the several Courts of Justice within this County have set for a great number of years past, is too small, & has been found to be very inconvenient & uncomfortable to the Judges, the Gent^{n}. of the Bar, the Jurors, Witnesses, & Parties concern'd, & all others that are necessarily Obliged to attend said Courts, & it having been intimated that said Chamber will greatly accomodate the General Court or Assembly that usually Sit in said house: And this Court having several times taken this Affair into Consideration, & relying upon the Justice of the General Court in making such an Allowance to the County for said Chamber, & such other Parts of said house which belong to the County, as shall be equitable, now Determine, And It is hereby Order'd that a New Courthouse within the Town of Boston, for the Several Courts of Justice to Sit in, be Erected as soon as may be, and that Joshua Winslow Foster Hutchinson & John Tudor Esq^{rs}. be and they hereby are appointed a Committee to Erect an handsome Brick Building on the Lands Belonging to the County in Queen Street in Boston (on part whereof the old stone Goal lately stood) for the several Courts of Justice within this County to Sit in, that a large Comõdious Chamber be assigned for said Courts, and that on the lower Floor of said Building, s^{d}. Committee Assign & Sett off such Parts of it, for the Probate

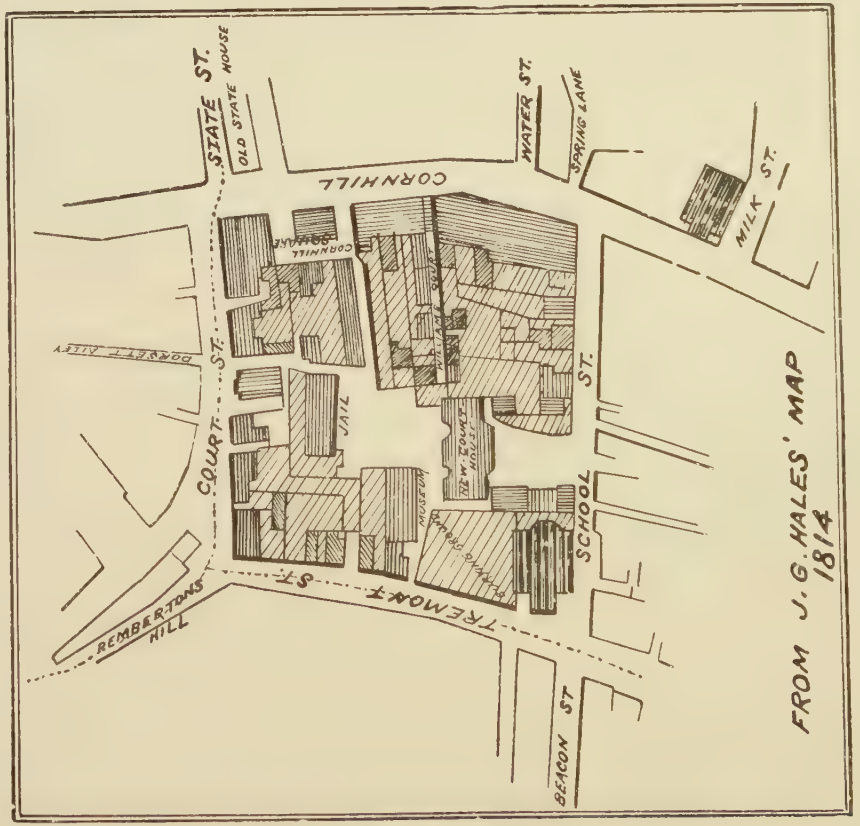
Office, for the Register of Deeds, & for the Clerks of the Court of General Sessions of the Peace, & Courts of the Comõn Pleas, as they shall Judge to be necessary & convenient for their respective Offices; And said Committee are desired & Impower'd to do whatever else they shall Judge Proper for compleating the same in such a manner, as to make it most convenient: And It is further Order'd that said Building shall not exceed the dimensions following Viz^{t}: Of Sixty feet in length, & forty feet in breadth from outside to Outside, and said Committee are directed to make Report of their Doings hereon to this Court, as soon as may be, after s^{d}. Courthouse is finish'd.

Order'd that Joshua Winslow Foster Hutchinson & John Tudor Esq^{rs}. the Committee appointed by this Court, to Erect the new Courthouse be and they hereby are directed and impower'd, (if they shall Judge it necessary) to hire Monies for carrying on said Building, and Pay Interest for the same, and that the County shall be chargeable, for such sums as they shall borrow & the Interest thereof, and the Treasurer of the County for the time being is hereby directed to pay all such Monies as said Committee shall borrow, and the Interest that shall become due thereupon. ——

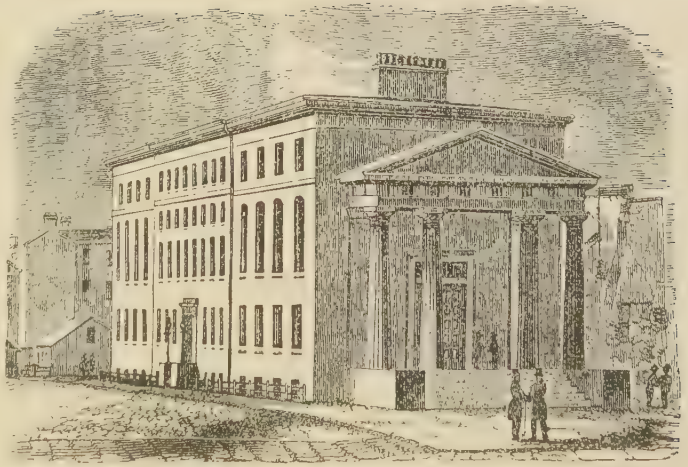
"At a Court of General Sessions of the Peace, began and held at Boston, within and for the County of Suffolk, on the third Tuesday of April, being the eighteenth day of said month, Annoque Dom., 1769, being the first Sessions in new Court house in Queen Street," etc., etc.

May 1, 1770, the Committee appointed on the 30th of January previous to examinine the accounts of the building reported the whole cost to be £2373..17..10¾ lawful money and the Committee in charge of building was paid the further sum of £45.





Plans showing Location of Court House.



Court House, Court Square. (From "Sketches of Boston," 1851.)

Dr. Moore states[1] that tradition affirms that Gov. Bernard designed these buildings, his authority being William Sullivan, in his address to the Suffolk Bar. Dr. Moore also points out that after the construction of the new Court House the offices of the clerks of the Supreme and Inferior Courts remained in the Town House, and that at the beginning of each term the Judges robed themselves there and marched in procession, followed by the bar, to the Court House.

This custom he finds in use in 1785, and possibly later.[2] Mayor Otis speaks of it as a well-known custom.

This Court House, long distinguished as the County Court House, remained in use for a little over forty years. Then a division of offices was made, and by Chap. 73 of Acts of 1809 (dated March 1, 1810), the Justices of the Court of Common Pleas for Suffolk were empowered to purchase any lands between

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[1] Moore's "Examination," etc., 1887, pp. 17, 20, 21.

[2] The following items from the Court Records seem to relate to this building: —

Oct. 1, 1771, "Ezekiel Goldthwait, Esq. having made a Present to this County of his Majesty's Arms, Carved Gilt and Painted in a handsome manner, in order to be placed in the County Court Room, — the Justices of this Court Thanked Mr. Goldthwait for the same in Open Court, and Ordered that a Record thereof be made."

There are various bills ordered to be paid for the use of a room by a Grand Jury; but January 5, 1773, "John Hill, John Tudor and Edmund Quincy, Esq^rs are appointed a Committee to cause the Room adjoining to the Probate Office on the lower floor of the New Court House to be enlarged and made Convenient for the Grand Jurors of the County to sit and do Business."

April, 1773, John Hill and John Tudor were appointed "to cause two Pillars to be placed under the Gallery in the Court Room."

Oct. 7, 1777, "the Court give leave to the Committee of Correspondence of Boston to Occupy the Room at the Southwest Corner of the Court house till further order."

It may be a matter of doubt whether these last two items do not rather refer to the Court room retained in the Town House. The "southwest corner" and the "gallery" are familiar terms in the latter connection.

Dr. Moore has shown that the gallery mentioned *ante*, p. 62, was existent in 1787 and in 1792. No research thus far, however, has succeeded in defining the exact location thereof, or in settling the question whether the floor was open to the southwest and central window on the west end, under the gallery.

Court street and School street, in Boston, for erecting a Court House for said county, and making proper avenues to and around the same, to sell or exchange any land there belonging to the county and to borrow money and build a Court House.

The building thus authorized was promptly erected and occupied mainly by the County and State Courts. But the old building still remained, and its history will be traced to the end.

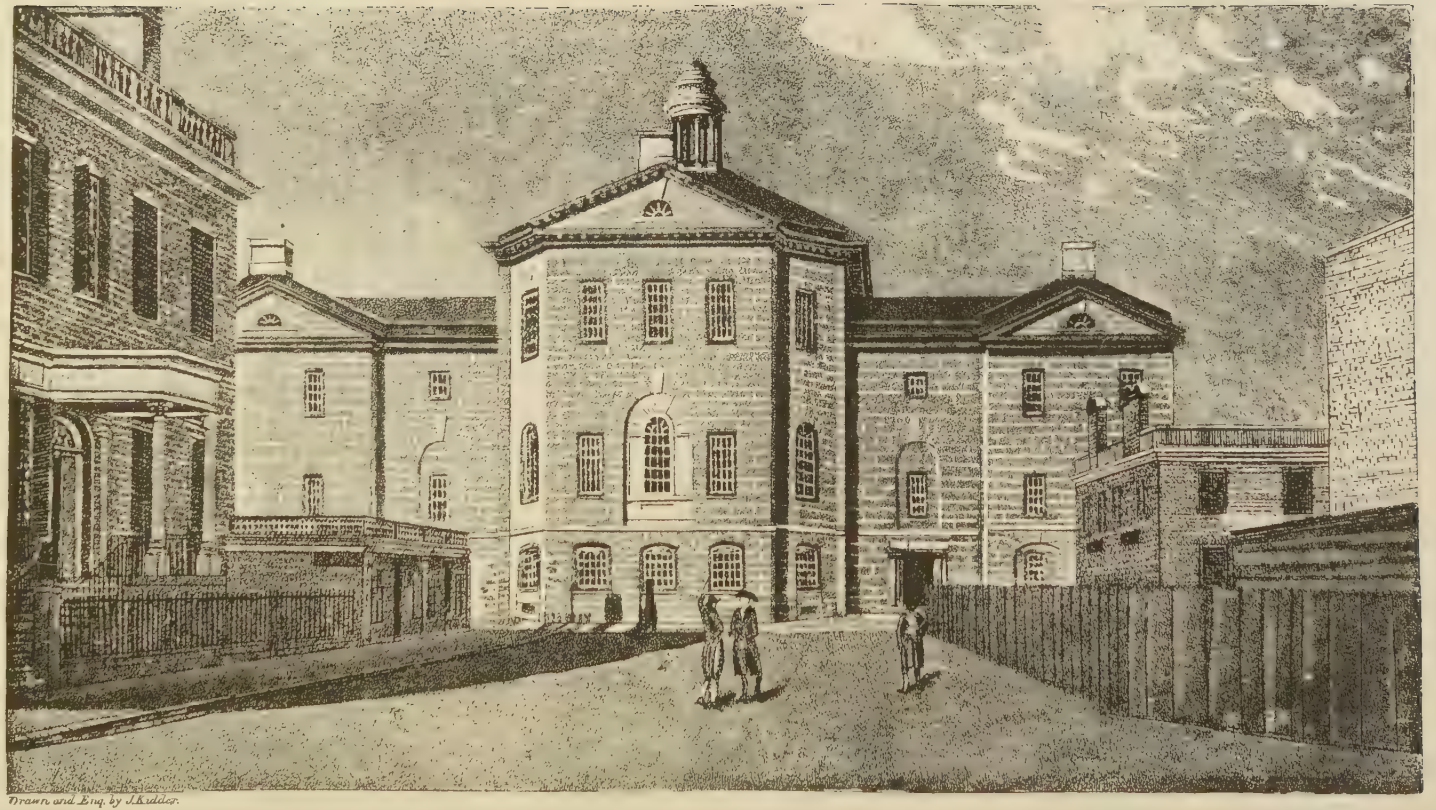
Pemberton, in 1794, thus describes it: —

"The new Court House is built on the front of the said street, partly on the ground where the old stone jail stood, which made an uncouth appearance and was taken down. It is a large, handsome building of brick, three stories high, and has on the roof an octagon cupola. The lower floor is used partly for walking, and has on it the probate office and the office of the county registrar of deeds. In the second story, the floor of which is supported by pillars of the Tuscan order, are held the courts of law. In the second and third stories are convenient rooms for the grand and petit jurors, and for offices."

Shaw, in 1817, writes of the old Court House: —

"It is a handsome building of brick, three stories high, and has on the roof an octagon cupola, in which is a bell. On the lower floor are the offices of the United States District Marshal, Sheriff of the County, Clerk of the Municipal Court, the Provident Institution or Saving Bank, and several private offices. In the second story, the floor of which is supported by pillars of the Tuscan order, are held the Circuit and District Courts of the United States for the Massachusetts District, and the office of the District Clerk. In the third story are convenient rooms for jurors, &c."

Evidently, from about 1810 to 1840, this old building was substantially the United States Court House. A view of the front



Court House in Boston. (Erected in 1811–1812. Drawn and Engraved by T. Kidder. Copied from the "Polyanthos.")

will be seen in Salmon's view from Pemberton Hill in 1829, given previously in this volume.

In 1831 or 1832 this old brick Court House was torn down, the corner-stone of the new building on the site being laid September 28, 1833, and it was completed December 20, 1836.

The cost was about $179,000, and in 1839 a further sum of $17,000 was appropriated for the street around the building. The Court House was 176 feet by 54, as first erected, and the annexed view shows its shape.[1] Later, in December, 1860, the order was passed for a loan, and an addition was made at the west end of the lot of some thirty-six feet, leaving it on its present form. It was completed Dec. 31, 1861.

As is well known the city is now building a new and magnificent Court House on the westerly and northerly side of Pemberton square, which will probably be ready for occupancy in 1890. At present the Court House is overflowing, and some courts are held in halls hired by the city.

But from 1810 to 1836 the city had another Court House in contemporaneous use; besides the Municipal Court Room in Leverett street, adjoining the Jail, from 1822 onwards.

THE SCHOOL-STREET COURT HOUSE.

In 1810, as we have seen, a stone Court House was built on the site now covered by City Hall.

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[1] The United States Courts, which had been held in Barristers' Building during the change, were returned to the new building. Owing to the incidents connected with the fugitive slave trial, the city notified the Courts to leave, and January 1, 1855, they went to the Parkman house in Bowdoin square. Special trials were held in various halls, as the Tremont Temple and Chapman Hall. Thence these Federal Courts were removed in August, 1859, to the Masonic Temple building, on the corner of Temple place and Tremont street; and, in May, 1885, the Federal Courts were removed to the new Post-Office building, where they now are established.

In 1817, Shaw thus describes it: "The New Court House is 140 feet long, consists of an octagon centre 55 feet wide, two stories, two wings of three stories, 26 by 40 feet, connected by the entrance and passages to the centre; contains two court-rooms in the centre, one smaller in one wing, Probate Office, Register of Deeds, Clerks of Supreme and Common Pleas Court, rooms for Judges and Law Library, rooms for Grand and Petit Juries. The cost of this building was $98,817.16."

The annexed view from the "Polyanthus" for September, 1813, shows its appearance.. The low building in front, on the spectator's left, was occupied by a fire-engine, the "Extinguisher."

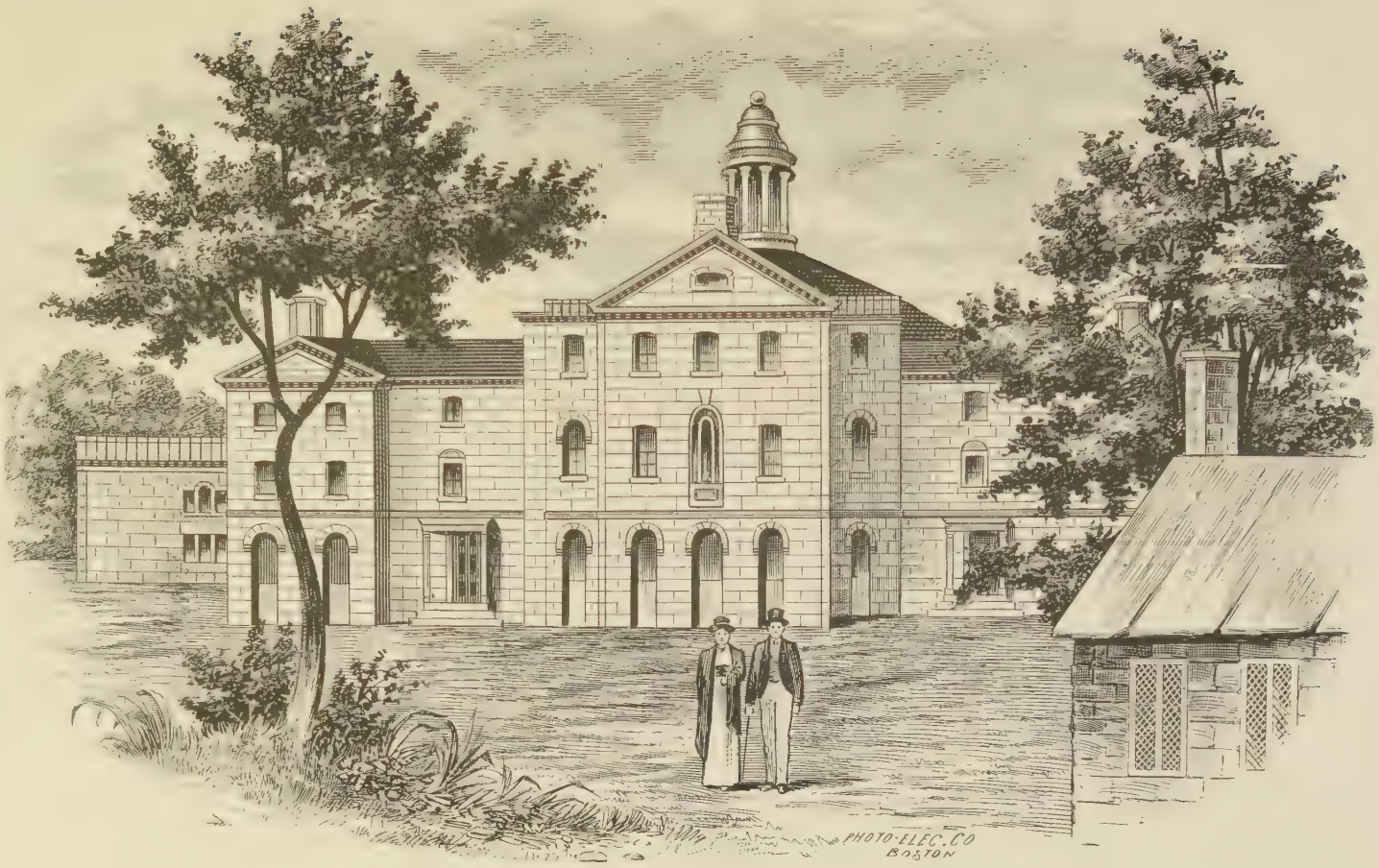
Snow, in his history, writes, in 1826: "The lower story of the centre is improved by the Registrar of Deeds and Clerk of the C.C.P.; the second story by the County Courts; and the upper by the Common Council of the city. The Mayor and Aldermen's room is in the upper story of the western wing; under that are the offices of the Auditor and City Marshal; and on the lower floor the Probate Office. In the eastern wing are the offices of the Clerk of the S.J. Court-rooms, for the judges, and for the juries, and one occupied by the Law Library."

Snow endeavored vainly to designate this building as "Johnson Hall." The annexed view is copied from an illustration in his book.

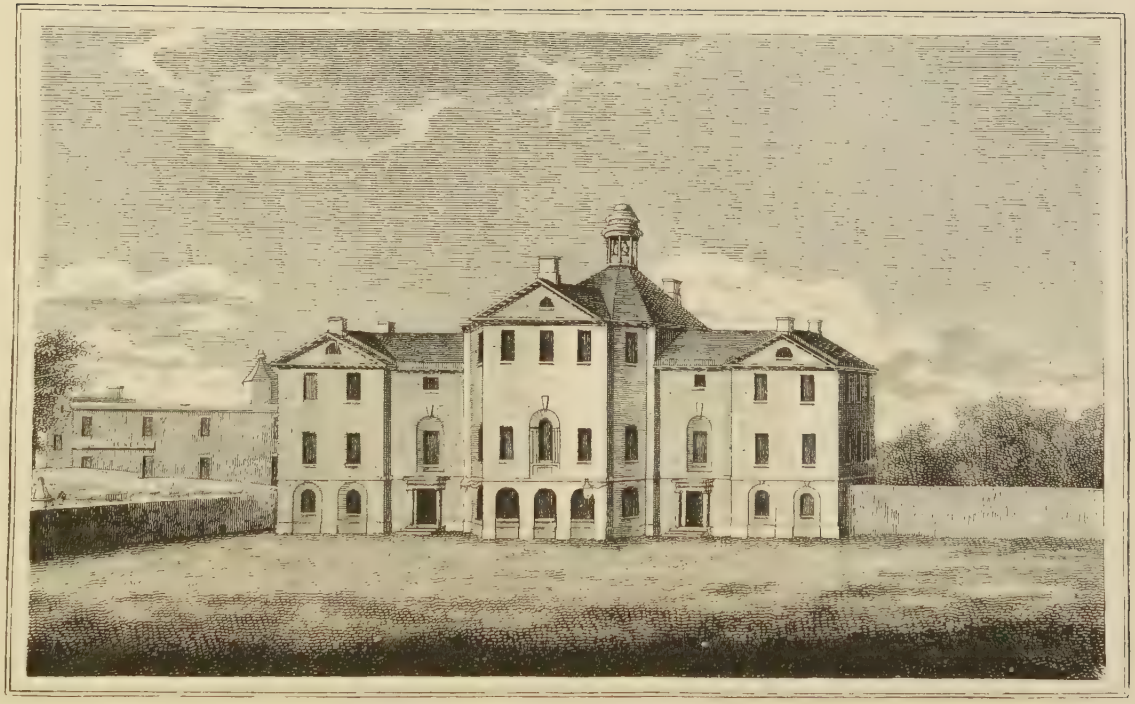
Undoubtedly during the three years required for the rebuilding of the Court House on Court street, viz., 1833–1836, the Courts were held in the School-street building.

Bowen, in his Picture of Boston, 1829 (p. 80), thus describes the building: —

"It is, in fact, our City Hall, being principally occupied for municipal purposes. This building was erected in 1810, the materials of which are of white granite, with a stone or brick floor for the first story. It is 140 feet long, consists of an octagon



Old Court House, School Street, about 1820. (From a printed platter.)



JOHNSON HALL, COURT SQUARE.

centre 55 feet wide, two stories, two wings of three stories, 26 by 40 feet, connected by the entrance and passages to the centre; contains two large halls or court-rooms in the centre, one smaller in one wing, Offices of Probate, Register of Deeds, Clerks of Supreme and Common Pleas Courts, rooms for Judges and Law Library, rooms for Grand and Petit Juries. The board of Aldermen and Common Council hold their sessions in this building; and the offices of the Mayor, City Clerk, City Auditor, City Marshall, and Superintendent of Burial Grounds, are also kept here. The cost of the building to the county was $92,817.16."

Boston became a city May 1, 1822, when the City Government was inaugurated in Faneuil Hall. The Mayor, City Council, and some of the city officers found accommodations in this Court House; but, in 1830, they removed to the Old State House. For the next ten years, until 1840, the Court House seems to have reverted to its original uses, as Bowen, in 1838, does not mention any other occupants. The transfer of the building for use as a City Hall, as hereinafter mentioned, in 1840, of course terminated its existence as a Court House. From that date the term has been confined to the building on Court street and Court square.

The Police Court, which held its first session June 20, 1822, was accommodated in the Court House in Leverett street, as was also the Municipal Court, established June 2, 1800. Both were removed to the present Court House, January 1, 1837; and both were reorganized July 2, 1866, the Police Court as the Municipal, and the old Municipal as the Superior Court.

Besides the two views noted on page 192, we have reproduced one which is found on a small platter, $10\frac{1}{2} \times 7\frac{3}{4}$ inches, of the well-known blue crockery.

The date must be between 1820 and 1830, as this piece is one of the set of "Beauties of America," made by J. & W. Ridgway, of Staffordshire, England.

THE CITY HALL.

As is well known, Boston was the first city established in this State. At a town meeting on January 2, 1822, the vote in favor of applying for a city government resulted, yeas 2,805, nays 2,006. An act was passed, approved by Governor Brooks, February 23, 1822, which was to be void if not accepted within twelve days. The vote stood on March 4, 1822, yeas 2,797, nays 1,881, a majority of 916.

On May 1, 1822, the City Government was inaugurated in Faneuil Hall, John Phillips being the Mayor, and after retiring therefrom "the members of the respective boards met in separate rooms."[1] The records of the Common Council show that it organized in the Selectmen's room, and adjourned to meet in the Supreme Court room. May 6 the Council appointed a committee to prepare a room forthwith. No report or entry on the records show what room they obtained, but it seems beyond doubt that it was in the School-street Court House.

Their records for 1823 show that in the autumn of that year a committee spent about $1,000 in fitting up the hall of the Common Council, and that it was a room which had been in use as a Court room. The clerk's desk was a table borrowed from the room of the Supreme Court. The Auditor's report 1822–3 shows some $450 spent on furniture for the Mayor and Aldermen's room.

By an ordinance passed December 20, 1824, the following rooms were assigned to the city officers: —

1. City Treasurer, in the room at the westerly end of the old State House.
2. City Clerk, in the Mayor and Aldermen's room.
3. Auditor, at the westerly end of the Court House, south side.
4. Health Commissioners, Superintendent of Burying-Grounds,

[1] Quincy's History, p. 44.

and City Marshal, in the room at the westerly end of the Court House, north side.

5. Clerk of the Common Council and the Captain of the Watch, in the room in the brick building opposite the south-west door of the Court House.

6. Assessors, in the room on the easterly end of Faneuil Hall, on the south side.

In September, 1826, on the petition of Sheriff Sumner, a committee was appointed to confer with Judge Ward to make any necessary changes in the Common Council Chamber, so as to accommodate the Court of Common Pleas.

Snow, in 1826, thus describes the building and occupants: "The lower story of the centre is improved by the Registrar of Deeds and Clerk of the C. C. P.; the second story by the County Courts; and the upper by the Common Council of the city. The Mayor and Aldermen's room is in the upper story of the western wing; under that are the offices of the Auditor and City Marshal; and on the lower floor the Probate Office. In the eastern wing are the offices of the clerk of the S. J. Court rooms, for the judges, and for the juries, and one occupied by the Law Library."

In his inaugural address, in January, 1827, Mayor Quincy, speaking in the County Court House, apparently in the Council Chamber,[1] advised changes.

He said, "Nothing can be more inconvenient for facilitating business than the location of our public offices. The Mayor and Aldermen, City Clerk, Auditor and Officer of Police, are in one building. The assistant City Clerk in another.[2] The Treasurer in

[1] Quincy's History, p. 403.

[2] This was the Clerk of the Common Council.

a third. The Assessors, Overseers of the Poor, and Directors of the House of Industry, in a fourth."

He recommended a fire-proof building at the western end of Faneuil Hall, which would cost less than the proposed new Court House. He added that "a room as extensive in point of size as that at present occupied by the Supreme Judicial Court might be prepared in this building (the County Court House) for the courts of the United States; and the present room, occupied by the Common Council, might be reserved for the Common Pleas."

Bowen, in his "Picture of Boston," 1829, describes matters in 1828. He says: —

"The Mayor and Aldermen's room is a plain but convenient apartment in the third story of the west wing of the Stone Court House, Court square, in School street. A railing runs across the middle dividing it into two divisions: — the south side being for the accommodation of visitors, who are provided with settees. The north side has an elevated floor, which is carpeted. The chairs and tables are so arranged as to make half a circle; the Mayor's chair in the centre and raised above the others.

"The Common Council hold their sessions in the same building with the Board of Aldermen. The council room is in the third story and in the centre of the building. The President's seat is elevated at one side of the room, and the seats for the members are very conveniently arranged, having a gradual ascent from front to rear.

"The City Clerk's office is in the Mayor and Aldermen's room." The Clerk of the Common Council has an office "in a small brick building in Court square. Salary $800 a year besides the fees for publishing the banns of matrimony. He attends to that duty every Thursday, immediately as the bell ceases to toll for the stated lecture of the Boston Ministerial Association."

The City Treasurer's office "is in the second story of the west end of the Old State House."

The City Marshal's office "is kept on the second floor of the west wing of the Court House in School street." The Auditor's office "is in the Court House, School street."

The Assessors' office "is in Faneuil Hall." The Overseers of the Poor have an office "in the second story of Faneuil Hall."

The School Committee meet in the Mayor's office. The office of the Chief Engineer of the Fire Department is "in the Old Court House, Court street."

The Probate office "is kept in the basement story of the west wing of the Stone Court House." The office of the Register of Deeds is "in the centre of the same building with the Probate office, on the first floor."

It seems, then, that from 1822 to 1830 the city offices were distributed in various buildings, but the Stone Court House took the place of a City Hall, since the City Council held its sessions there.[1] It seems probable, also, that the Aldermen's room was on the third story, taking the west wing, and the Common Council Hall was on the same story in the centre; and that these rooms were so appropriated in the summer of 1822, and continued in use until the removal in 1830 to the old State House.

I have been unable to find any plans in the archives of the City Architect showing the arrangement of rooms in this building before 1830. There are a number of the sketches for the proposed

[1] Quite erroneously it is stated in the "Account of Laying the Corner Stone of the New City Hall, 1866," that Faneuil Hall was the first City Hall. It was here that the first city government was organized, . . . and it continued to be occupied by the city officers, till Sept. 17, 1830, when the old State House was remodelled. This statement is clearly contradicted by the facts stated in the text.

alterations in 1840, and some of the new Court House in Court square.

STATE-STREET SITE.

We have already seen that in 1830 the city officers were removed to the old State House, which for ten years was the City Hall. (A description is given, *ante*, pp. 113, 114, 115.)

RETURN TO SCHOOL STREET, 1840.

In 1839 the City Council appropriated $60,000 for the purchase of land in Court square and on School street, and $500 as a premium for a plan for a new City Hall. City Doc. No. 9, of 1840, reports that they had plans from Asher Benjamin, Richard Bond, and G. J. F. Bryant, costing from $28,000 to $24,000, for alterations of the County Court House for this purpose; one from Cornelius Coolidge for $25,000; one for 12,000 from a person unnamed, and one from Charles Roath, for inside work, at $3,400. These plans, or some of about that date, are still preserved in the City Architect's office. We annex a view copied from the "Sketches of Boston," printed in 1851. An addition has since been built on the west end.

None of these plans were adopted, but after a long dispute between the branches it was decided, July 27, 1840, to fit up the old Court House. "According to a third plan, keeping the entrances as they now are, the present stairs might be taken away, and new stairs carried up in the rear of the main part of the building, conforming precisely, in the second and third stories, in all the arrangements to the plan heretofore submitted to the Council by Mr. Preston," and costing $9,475. To this sum was to be added $3,000 for an iron fence, and grading the land in front; $1,000 for gas fixtures, and $1,000 for heating apparatus.

On March 18, 1841, a convention of both branches was held

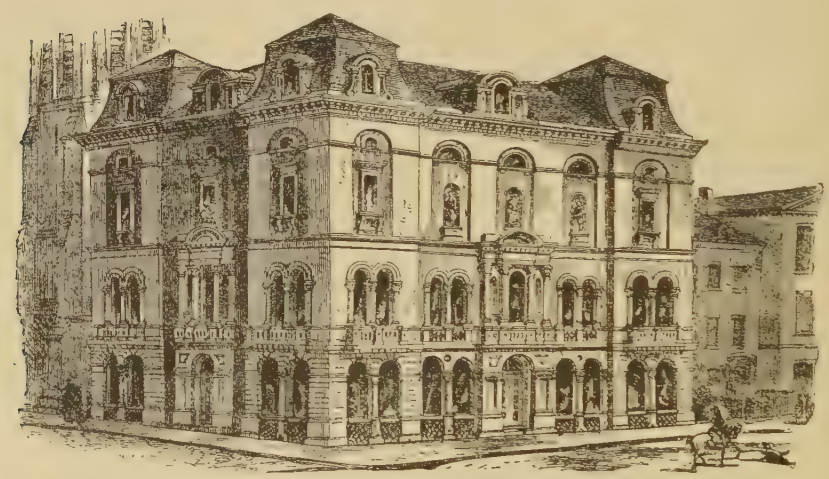
City Hall, School Street, 1856.

to dedicate the new City Hall, and the Mayor, Jonathan Chapman, delivered an address. However convenient the Hall may have proved, there seems to have been very little pride evinced in its external appearance. At least, while nearly every other large building in the city has been made familiar to us by numerous engravings, probably the only artistic picture of this Hall during its second civic occupancy is the one engraved by a German, F. Coth, in 1856, and published in Munich. This is only one of a series of views illustrative of Boston on one large plate. A reproduction is annexed. A small wood-cut of the City Hall is, however, given on p. 29 of a guide-book published in 1865, entitled, "Boston Sights," edited by R. L. Midgley. A view also appears on the title-page of the Boston Directory from 1853 to 1859.

It is well remembered that the increase in the city's affairs soon rendered this City Hall too contracted for usefulness, and that measures were taken for constructing a new building. A committee, in 1862, submitted a plan, at an estimated cost of $160,000, and the corner-stone was laid Dec. 22, 1862. The size of the new building allowed the foundation and front wall to be erected, and prepared for the corner-stone, while the City Government occupied the old City Hall. The last meeting of the Board of Aldermen therein was on January 7, 1863; and on January 12 the Board met at the Mechanics' Hall, on the corner of Bedford and Chauncy streets, where rooms had been hired for the City Council, and some departments. (*See cut on next page.*) Here, then, was the actual City Hall for more than eighteen months, the last session of the Board there being on Saturday, September 16, 1865. On the Monday following, a convention of both branches was held at the New City Hall to dedicate it, and that building has since remained in use, although no longer capable of housing all the departments of the government under its roof.

The estimated cost was $160,000, though no one expeeted that the expense would be covered by that sum. Some changes were made in the plan, but the great apparent increase in the price paid was caused by the premium on gold. Accordingly, the committee in charge felt authorized to claim that the total expense of $505,191.42, as paid, was not owing to any extravagance or increase of plans. The exterior of the building has proved entirely satisfactory, and engraved views are numerous.

In 1886 the city hired the estates Nos. 12 and 14 Beacon street, belonging to the Lexington Buildings Association, and has brought together a number of city departments heretofore located in several buildings.



Mechanics' Hall, Bedford and Chauncy Streets, Boston.

APPENDIX M.

[PREFATORY NOTE.]

After the publication of the second edition of this memorial volume, an interesting address, entitled "Prytaneum Bostoniense," was delivered before the Bostonian Society, by Dr. George H. Moore, of New York. It contained many interesting additions to the text of this volume, but also put forth criticisms which seemed unfounded. Still, on account of the value of the whole production, leave was obtained from the author to reprint it as Appendix M, in the third edition of this volume; and it was thought proper and necessary to print therewith a rejoinder in correction of apparent errors.

Dr. Moore, on February 9, 1886, read a second paper before the Bostonian Society, and it was widely distributed. This essay was much more distinctly controversial, and I therefore prepared and published a reply, addressed to and circulated among the members of that Society. This has called forth, in 1887, a third paper from Dr. Moore, exclusively devoted to an examination of my published statements.

When the City Council, in the present year, directed a new edition of this volume to be published, I was in doubt as to the best course to pursue in regard to this published controversy.

The first two papers were already in the preceding edition, but the subsequent numbers could, by no stretch of courtesy, be regarded as of equal value. Moreover, I was unwilling to appear

to be using my position to reprint a pamphlet for which the city was in no way responsible. After careful consideration it seemed best to again reprint all the historical portions of Dr. Moore's first paper, and to state briefly the substance of his criticisms of the text of the Address contained in the foregoing pages. It will be found that the points in dispute are ludicrously few; and, with one exception, of no importance. As the former appendix regarding the Court House has been rewritten, I have been able to correct my errors and omissions, and thereby to obviate the necessity of reprinting Dr. Moore's personalities.

I would, however, say that Dr. Moore's three papers are well worth perusal by any one interested in the details of the history of our venerable and honored building. I should have liked to reprint a few more of his facts from his second paper, but in their present argumentative setting there is too little history and too much debate.

Leaving out the questions connected with the transfer of the Courts from the old State House to the new Court House, in 1769, Dr. Moore's charges of error seem to be

1. In stating on p. 87 that the trial of Capt. Preston and his soldiers was held in the Council Chamber.

2. In stating in Appendix N (3d edition, p. 201) that the colony bought out in 1776 the right of Suffolk County in a room in the old State House.

3. That I thrice printed, as a quotation, the blunder of a writer who made the date of the burning of the Gaol, *June* 30, 1769, instead of *January* 30th, 1769.

4. The question as to the apportionment of the rooms on the second floor.

As to the first, I may have been in error, although Dr. Moore

cites no authority for the place of trial. It may have been the new Court House in Court street; but there are also previous precedents for the use of Representatives' Hall for great trials.

As to the second, I cheerfully confess that I mistook the order of the General Court to consider what was due the county for a real settlement. No doubt Dr. Moore is correct in saying that the matter was not then settled.

As to the third, I cannot deny the clerical error. To be sure, on p. 208, I gave the true date and a full copy of the proceedings of the Judges on January 31, 1769; but it was a grievous error; and the reader will be justified in thereafter doubting every date or statement of the wretched author.

There remains for consideration, lastly, the really important question as to whether the halls in the Old State House are a proper and substantial reproduction of the rooms as they existed from 1748 to 1798. In his first paper, Dr. Moore made the following condemnatory statement:—

"No such division of the space on the second floor as the present existed at any time during the official use of the building by the Legislature, Colonial, Provincial, Revolutionary, or State."

After carefully considering everything that has been written on the subject by Dr. Moore, I find no evidence to justify any such sweeping remark. He has no contemporary plan of the building or any story of it; no description not already given in the text: and at most only a few incidental references to details which are themselves capable of various interpretations.

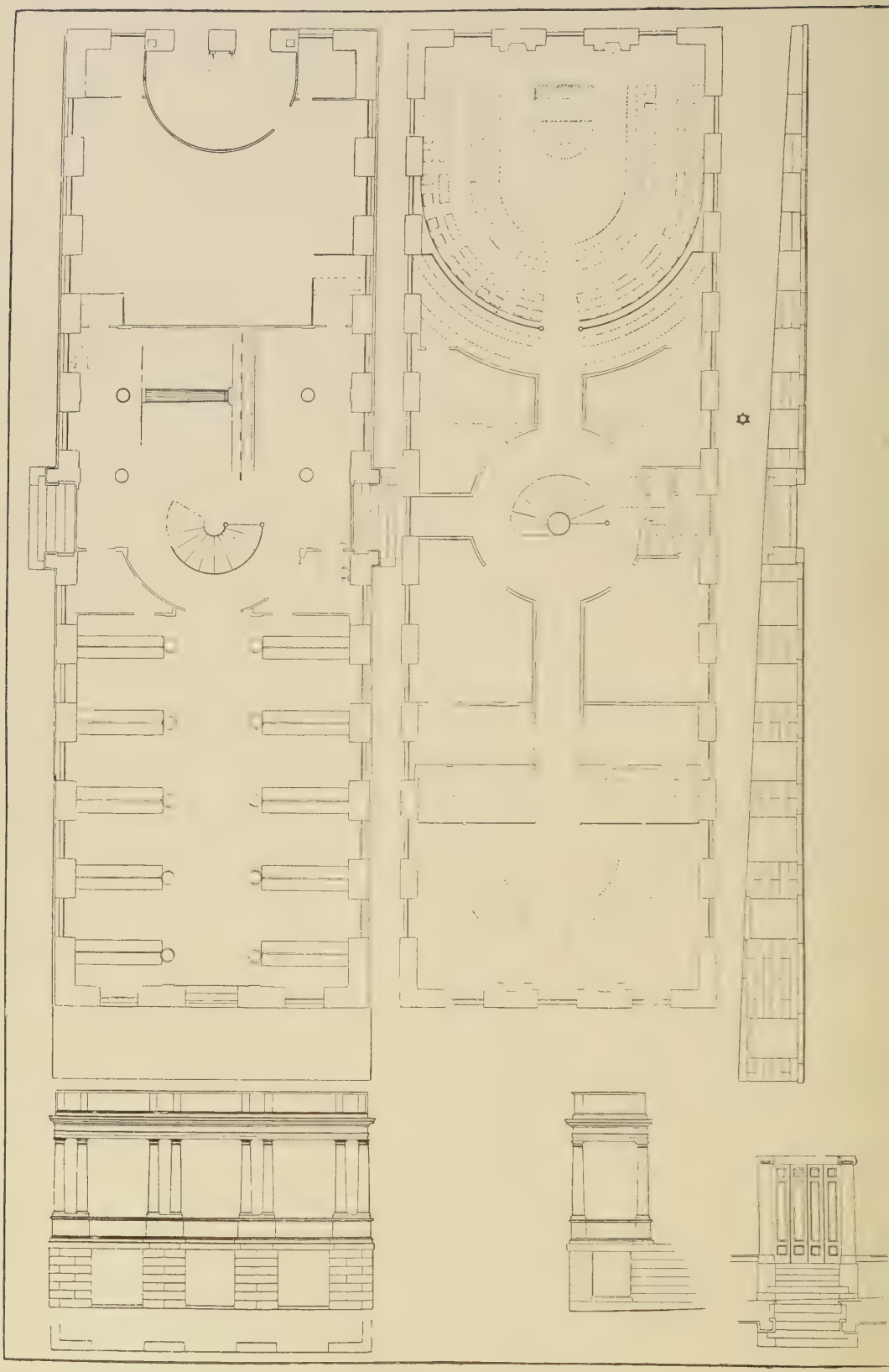
It is true that during the first twenty odd years a portion of the western end of the second floor was used as a Court room. It is true that a gallery was placed somewhere at the westerly end of Representatives' Hall, and that a stair-case was in the north-

westerly corner. But it is also true that in 1776 a committee of the Legislature was empowered to make such changes in this westerly end as they saw fit; and, as no report of their doings in detail has been preserved, no one can say that they did not do just what has now been done, viz., carry the limits of the hall to the outside walls.

As to the more important question of the existence of the central stairway, giving access to the Council Chamber, Dr. Moore has produced no evidence. The weight of authority is all in favor of the fact that the Council Chamber was a square room, with lobbies towards the centre of the building. The architect who examined the timbers when they were all exposed, reports that in his opinion there is ample evidence of a central stairway anterior to 1830. After all the searches made in support of a hostile criticism, this opinion remains unshaken and authoritative.

The problem before the representatives of the city at the date of the recent restoration was to so repair and reconstruct the old halls and approaches as to give a true idea of the former appearance. The committee, of course, was not as well informed of the facts as the public now is after all the discussion of the subject. But the committee was aware of the fact that during the fifty years of occupancy by the Legislature many temporary changes had been made. They knew that a gallery was built in the Hall twenty years after its first opening; that for twenty years a part of the hall had been set off as a Court room, and then abandoned; that a small lobby and staircase once occupied a part of the west end. But as no one period covered all the time, and as some choice must be made, they wisely decided to leave out these contradictory details, especially as the best authority seemed to indicate that the last stage of occupancy included a single hall on the westerly half.

The future student will doubtless wonder at the amount of



ROGERS' PLAN, 1830.

writing, not to say of feeling, caused by the action of the restorers of the halls. He will be satisfied that the halls and stairways are reasonably correct representations of the originals; and that where certainty was unattainable, and the matter in doubt was trifling, the agents of the city did wisely in following the advice of their architect. Above all, a matter that reduces all of Dr. Moore's cavils to insignificance, it is beyond doubt or dispute that the four walls, the timbers, and the window-spaces are just what they were when they were first constructed, and that the legislative chambers occupied nearly the whole floor. After all disputes about stairways, when the visitor lands upon the second floor he is within the same cubical space exactly that enclosed the Council and the Legislature of Massachusetts from 1747 to 1798. There has been no change of the boundaries, above, below, or on either hand. The partitions may vary a foot or two, but the scene is substantially the same. This inheritance remains to us to be kept for posterity, and it has no equal among all the other buildings connected with Revolutionary events. So long as we can stand in the room which echoed to the eloquence of Quincy, Otis, Cushing, and the Adamses, we can afford to laugh at the carping critic who defies us to locate to an inch the position of the chairs whereon they sat.

As the only evidence known to exist of the state of the building in 1830, the annexed *fac-simile* of a plan made by Isaiah Rogers will be found of interest. The dotted lines represent pencil marks, and the reader can judge whether the architect in making his sketch was adapting existing walls to a new purpose or was making entirely new divisions of the entire floor. No description yet recovered throws the slightest light on this vital point. It must also be added that every authority, save one casual newspaper comment at

the date, agrees in calling the changes made in 1830 "repairs." The bills on file at City Hall give no warrant for supposing any great changes were made, and the amount of money expended would not pay for any radical alteration inside the building.

In conclusion I would say that the items collected by Dr. Moore, though interesting, are only supplementary to the main text, and that they do not supersede the necessity of such a general history of the building as I essayed.

As to my oration, I beg leave to add that it was prepared in accordance with a vote of the committee of the City Council, dated April 25, 1882; and that it was delivered from a printed copy, June 29, 1882. The limited time at my disposal in preparing it, or in revising it for the Memorial Volume, is my best excuse for any shortcomings. I wish it were better; but, had we waited for such an address as others could have prepared, I fear it would have been a funeral oration over the remains of our greatly threatened building.

After the address had been printed and made permanent in form, I did not feel justified in altering it, preferring to add notes and appendices as new facts might be found.

I feel constrained also to repeat the closing words of Appendix N of the last edition of this "Memorial," in regard to the great liberality displayed by the City Council of Boston in 1881: "In view of the culpable negligence so often shown by national, State, or local authorities in the matter of preserving antiquarian relics, it was a most generous gift to the public. The expenditure of some thirty-five thousand dollars outright and the sacrifice of several thousand dollars of annual income were an enlightened and almost unprecedented act by a city government. If the committee fell short of the best use of its opportunities, it was not from lack of good intentions or industry. But, in fact, the city was

not deceived by its agents; it has the most authentic important relic of ante-revolutionary days now in existence, and, whatever trifling faults may be discovered hereafter, the Old State House will stand as an indisputable proof of the wise liberality of the city of Boston."

WILLIAM H. WHITMORE.

EXTRACTS FROM AN ADDRESS ENTITLED "PRYTANEUM BOSTONIENSE," DELIVERED BY DR. GEORGE H. MOORE, BEFORE THE BOSTONIAN SOCIETY, MAY 12, 1875.

The fire of December 9th, 1747, left nothing of the second Court House but the bare walls; and the Legislature which was sitting at the time speedily terminated the session, after requesting the Selectmen of Boston to secure those walls from the weather by causing them to be covered with boards in the best and cheapest manner. They sat four days after the fire, and being then prorogued to the 3d February, 1748, met on that day at Faneuil Hall, which had been promptly tendered by the Selectmen on the day of the fire for the service of the House. Governor Shirley, in his opening speech, duly reminded the General Court of the necessity for speedy action to repair or rebuild the Court House, and a week later the brisk debates commenced, of which the first result in the House of Representatives was a resolution that a Court House should be built in some other part of the Province than the Town of Boston, provided the Court agree upon the place; which was immediately followed by a resolution that Cambridge should be the place.

On the two following days, February 11th and 12th, after a good deal of manœuvring, the matter was reconsidered, and a special committee was appointed to examine and report what they might apprehend proper to be done respecting the repairing the late Court House or building a new house in such place as should appear most convenient. The chairman of that committee was the Speaker of the House, afterwards so conspicuous in history as Governor Hutchinson, and I may say at once that it was to him more than to any other man that the Town of Boston was indebted for keeping the Court House there.

On the 17th February he reported to the House that it was the opinion of the committee that the late Court House be repaired; and that the charge thereof should be borne agreeably to the last

establishment: *i.e.*, one half by the Province, the other half to be divided between the County of Suffolk and the Town of Boston.

After debate the report was rejected, and by two successive votes it was resolved that the Court House should not be built in any part of Boston, and that it should be built in the town of Roxbury. Whereupon a joint committee was resolved upon to report a proper place in Roxbury for the said house and to consider of dimensions as well as the method of providing its charge, and the resolution was sent to the Council for concurrence, which was forthwith refused by a unanimous vote. After further debate the House again sent up the same proposition, substantially, which met the same fate as the former.

Upon receiving information of this result, on the 19th February, the House ordered the further consideration of the subject to be referred to the next session of the Court.

On the 2d of March the Governor again moved in the matter, urging the present and prospective inconveniences they were suffering and likely to suffer; and the House upon the next day, to which they had postponed consideration of the Governor's Message, consented to reconsider their vote of delay. They then took a new departure by deciding that the old house should not be repaired, but that a new one should be built in the Town of Boston, and a joint committee was appointed (the Council concurring in this vote) to consider and report on a proper place in that town.

In the afternoon of the following day the House was informed by their chairman of the joint committee that he was directed to propose to the House that they should go at once to view the Common and Fort Hill, and determine which was the most convenient place to build a new Court House in, as the said committee were divided in their sentiments upon that affair.

After a debate the House refused to accept the report, and postponed the consideration of the affair until the following Wednesday, the 9th of March. Upon that and the following day the result reached was the determination to repair the late Court House: one-half the charges to be paid by the Province, one-fourth by the County of Suffolk, and one-fourth by the Town of Boston. A committee was appointed to purchase ma-

terials, and to prepare a plan of the inside work, with an estimate of the charge, to be laid before the Court at the next session. The committee very promptly purchased a great part of the materials, and reported that fact to the House with their proposed plan, evidently to prevent any further vacillation on the part of the House. An appropriation was immediately proposed, and the first grant for purchasing materials — £100 — was made on the 8th of April, 1748, and concurred in by the Council, with the consent of the Governor, on the following day.

The consideration of the plan reported was then made the special order for the following Tuesday, April 12th, at three o'clock P.M., when, "after a debate," it was adopted.

It should be observed here that this result was precisely that which was proposed in Speaker Hutchinson's first report on the subject, on the 17th February.

Several attempts were made afterwards in the House to interfere with this determination; but they were unsuccessful, and the work was carried on to completion. The only important change in the plan first submitted and determined on was made on the 19th November, 1748, when a proposition by the Building Committee to enlarge the Representatives' Room in the Town House, then rebuilding, was agreed to by the House.

This modification in the plan by which the Representatives' Room in the new Town House was enlarged was an obvious necessity. In 1728 there were 128 towns in the Province capable of sending Representatives, and in 1748 the number had increased to 153.

The materials are scanty for the illustration of the plain official record of the controversy between Boston and the country party on this occasion; but it is apparent that the major part of the House of Representatives was then averse to rebuilding the Court House in Boston, and disposed to build a house for the General Court in some town in the country. The lines were very strictly drawn. All the efforts of the Bostonians could not prevail for an entirely new structure; and upon the test question whether a grant should be made for rebuilding the old one the House was equally divided, and the Speaker gave his casting voice in favor of the town.

That Speaker was Thomas Hutchinson, who had and continued to "have still" (at a later period, when he found occasion to

refer to these transactions) "a very good Affection for the Town of Boston." He used his influence in every way he could with propriety, in favor of rebuilding the Court House in Boston. I take pleasure in recalling these obscure facts respecting one of the most gifted of her sons, who has had scant measure of justice in her history.

The proceedings of the anti-Boston party in all this matter to which I have referred were not the first of their kind. In January, 1739, a committee was appointed by the House of Representatives to consider, in the recess of the Court, "of some proper place in some one of the Country Towns of the Province (not too remote from Boston) wherein to build a Court House for the use of the General Assembly, that so the public business may be attended to with more ease and freedom of the members, and be transacted with greater dispatch; as also to project some proper plan for the building, and ways and means best to effect it, and make report at the next sitting of the Court."

Accordingly, on the 21st of April, 1739, the committee reported in favor of a new Court House at ——, and that two acres of land there be purchased for a site. They found, with the help of their architects, that it would cost about £5,000, new tenor. They presented two plans by the architects, and gave their own opinion that the model should be drawn from both of them to suit the Court. They proposed to raise the money by an additional excise of twopence per gallon, new tenor, on spirituous liquors for the space of six years to come; any deficiency to be made up by a tax on polls and estates the next year. The debate which ensued resulted in a postponement to the next Court.

The movements of the anti-Boston party which I have detailed were not all to which I have to direct your attention. The new building was hardly completed before a fresh proposition for a new Court House was made and determined upon by the General Court.

Admiral Sir Peter Warren, in August, 1749, offered to the Province of Massachusetts as a present the money he received as commissioner for handling the money due for the Cape Breton Expedition. It was a handsome sum, and the Admiral conveyed with his offer an intimation of his wishes respecting its use by the

Province. The intimation was disregarded, and the following proceedings took place in the General Court:—

"On February 19th, 1751, *Voted*, That a Letter of Thanks from this Court for so generous a Benefaction (signed by the Secretary) be sent to that Gentleman, and to inform him: That in order to perpetuate his Memory among us; It is the Determination of this Court, that said Money be applied towards the *building a Court House in some Place out of the Town of Boston*, and where this Court may hereafter appoint.

"On February 19th a vote of Council was brought down to *dele* the whole paragraph respecting the building a Court House to perpetuate his Memory, &c. The House made a further Amendment that the said House be erected *in the Town of Cambridge* and adhered to their own vote as so amended, which was sent up for concurrence.

"On February 22d the Council concurred in the Vote for a Court House, at Cambridge, the Lieutenant-Governor signed it, &c., and on the same day a letter was authorized by both branches, communicating 'the Determination of the Court, that the Building proposed to be erected shall always be known and called by the name of *WARREN HALL.*'"

The generous and sensible Admiral did not acquiesce in this extraordinary proposition, which therefore failed; and Cambridge, like other towns "not too far from Boston," did not have the Court House. I find a remark of "the good Secretary" Willard, who conducted the correspondence in behalf of the General Court, which deserves quotation. He writes to the Admiral: "As their project for a Court House was much disliked by the wisest and most disinterested men, so the employment of the money for the Instruction of the Mohawk Children, as you have designed it, is I believe generally much approved of."

Nor are these I have noticed all the instances of the disposition of a strong party in the Legislature to take the Court House out of Boston. The subject was revived in 1754, when, on the 18th December, it was "*Ordered*, That the House will take under consideration the affair of removing the Court House out of the Town of *Boston*, to-morrow at eleven o'clock in the forenoon.

"December 19th. The House, according to order, took under

consideration the affair of removing the Court House out of the Town of Boston; and after a Debate had thereon the question was put, '*Whether there shall be erected a Court House out of the Town of Boston?*'" And it passed in the affirmative.

"And thereupon *Resolved*, That there shall be a Court House erected for the holding the General Assembly of this Province in some part of the town of *Watertown*. Sent up for concurrence.

"It was also further

"*Ordered*, That Col. Brattle, Mr. John Hunt, and Judge Russell, with such as the Honorable Board join, be a Committee to repair to the Town of Watertown to pitch upon a convenient Place whereon to erect a Court House for the holding of the General Assembly of this Province, inquire at what price the land suitable for said Building and its accommodations may be had, prepare a plan of the Building proposed, and report thereon to this Court as soon as may be. Sent up for concurrence.

"January 4th, 1755. Upon inquiry by the House, their messenger was informed that the Board had non-concurred in the vote respecting a Court House."

The last of the series of propositions of this sort which I have to mention was in 1787, June 16th, when another effort to remove the seat of government from this town was made; and a committee appointed, who reported in favor of *Concord* as a suitable place for a new Capitol.

The political year 1749–50 was that in which the Court House, which had been rebuilt in fact upon and in the old walls of its predecessor, was reoccupied. I have not been able to ascertain the exact date, but a contemporary statement is, that on the 13th July, 1749, the repairs were nearly finished, and the Commissioners on the Land Bank were to meet in a room there on the 19th of that month. . . . . *No such division of the space on the second floor as the present existed at any time during the official use of the building by the Legislature, Colonial, Provincial, Revolutionary, or State.* During the entire Colonial and Provincial periods there were three chambers or apartments which I have mentioned, with their respective lobbies, and at least two entries. The great increase in the number of representatives demanding more room for

the House during the Revolution, the Representatives' Chamber was enlarged by taking in the Court Chamber, the Council Chamber still remaining the same; and when the State Government was organized the Senate took possession of it, the Governor and Council being obliged to find quarters in the Province House, where were also kept at that time the offices of the Secretary and Treasurer.

The upper portion of the building was left for several years in an unfinished state, and only gradually brought into use. I think there were two rooms at the respective Eastern and Western ends, which may have been provided at first; for, on the 14th February, 1756, "the Room in the Upper Story at the West End of the Court House" was duly appropriated by an order of Court to the use of committees during the time of the Court's sitting. And on the 27th August in the same year an order passed the House, that the members for the Town of Boston be directed to cause one or more chambers in the upper story on the south side of the Court House to be finished for the accommodation of committees of the General Court.

The Town of Boston also seems to have enjoyed additional benefits besides their public walk and exchange on the first floor, by the assignment of one of those first upper chambers for use by their officials. This appears from the following proceedings in the House of Representatives on the

"21st Jan. 1761. Inasmuch as the Select-Men of the Town of Boston sit to do business in their *Easternmost upper chamber of the Court House*, and the Small-Pox frequently breaking out necessitates those Persons in whose Houses it is at first discovered, as well as many of the Physicians in the Town, to attend them; this House apprehend it unsafe for such persons to *pass and repass the Door of this House*. Therefore,

"*Voted*, That said Select-Men be desired to remove their office from said Chamber, and provide themselves with some other suitable place, at the Charge of the Government, during the present Sitting of this Court."

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The chambers were all plain in construction, and their fittings

and furniture simple in character, with probably hardly a touch of extravagance anywhere.

The Council Chamber was furnished with a large table and chairs, and one or more glazed bookcases stood in the room, in which were preserved with care some valuable books which had been presented by liberal citizens and friends of the Province, among which I may mention the Hon. Benj. Lynde's gift of the Statutes at Large, in six volumes folio, for the use of the Courts of Common Law sitting in this House, as well as the Legislature; and a complete set of the History and Proceedings of the Houses of Lords and Commons from the Reign of King Charles the II., viz.: eight volumes of the Proceedings of the Lords and fourteen of the Proceedings of the Commons, from Isaac Royal, Esq., of Charlestown.

The Royal Arms, also, which were subsequently removed and carried to St. John, N.B., where they now decorate a church, must have been a conspicuous feature in the Chamber. With reference to this subject and another intimately connected with it, as will appear, I think you will pardon me if I go back a little to recall a few memories of the first and second Town Houses, which were burned.

As early as May 25, 1636, or during the May session of the General Court, it was ordered that in "places of judicature, the King's ma^ties^ armes shalbe erected soe sone as they can be hadd." (*Mass. Records*, 175.) But, notwithstanding this "order for ye King's armes to be set up," it is not probable that they were "to be hadd" in that jurisdiction for a long time afterward, or that they soon became visible in the high places of judgment.

It was not until 1678, when the agents of the General Court were struggling against their enemies at Court and warding off the blows levelled at their charter, that they were compelled to show their recognition of the royal authority by taking the oath of allegiance and exhibiting the ensigns armorial of England in their hall of assembly. The records state that "the King's armes also the Court have ordered to be forthwith carved by an able artist and erected in the Court House." I suppose this is all we can hope to know about the arms or the artist.

But, in 1705, we come upon nearer and a *little* surer ground.

Governor Dudley, in a letter to the Lords of Trade, March 10, 1705, quoted by Palfrey, iv., 295, *note*, says: —

"I have received her Majesty's picture and coat-of-arms. The arms were the next day fixed in the Council Chamber of this Province . . . Her Majesty's picture I have set up in my own house, where it is always in the view of all masters of sea, strangers, and others who are bound to make their attendance, and where the counsellors and gentlemen of the country frequently are."

I have not discovered how long Dudley kept the queen's portrait at his own house in Roxbury; but it was placed in the Town House, where it belonged before the fire in 1711, in which that house was destroyed. The Royal Picture Gallery thus seems to have had its origin in the time of Queen Anne. Chalmers states that Queen Anne gave her portrait to every colony, and more than intimates a degree of churlishness in Massachusetts on its reception there. "A trivial fact throws additional light on the temper of that assembly [1706–7]: they refused to address the queen, in return for her portrait, wherewith she had honored every colony, though the compliment, demanded by the civility of a woman, far less the respect due to the condescension of their sovereign, had impugned no privilege, had imposed no duty, had enforced no act of Parliament." — *Introduction to the History of the Colonies*, 310.

This portrait escaped destruction in the great fire of 1711, in which "the Town House and the Meeting House, with many fair Buildings were consumed, and several Persons Kill'd and burn'd. *Some Gentlemen took care to preserve Her Majesty's Picture that was in the Town House.*" — *Boston News Letter*, *No.* 390, *October* 1–8, 1711.

I have met with no record of the fate of the portraits of the queen sent to other colonies. Only among the archives of Virginia, indeed, have I as yet found any notice whatever of so conspicuous and interesting a gift. This appears in the shape of a bill of charges from the attorneys of Col. Francis Nicholson, then Governor, for expenses in England attending the gift. They are embodied in an "Account of the charges for Obtaining the Queen's Picture and Queen's Armes, with two Carved guilt Frames, for her Majestie's Province of Virginia.

179$\frac{2}{3}$	For an order of Councill for the Picture . .	£2 12 6
	p^{d} for a Copy to Com^{ss} of Trade	5
	For ditto for Queen's Armes to L^{d} Marshall . .	2 12 6
	p^{d} for a Copy to Com^{ss} of Trade	5
1703 April 20th	For y^{e} L^{d} Chamberlaine's 3 Warr^{ts} to S^{r} G. Kneller & L^{d} Montague & her Maj^{ties} Frame Maker	2 3
	p^{d} Clerk's Fees	15
	p^{d} Chamber Keeper	2 6
June	9th p^{d} Fees at Treasury for Counter Signeing L^{d} Chamberlaine's War^{t} for 2 Arms, Etc., En$^{t\text{-}ed}$.	17 6
July	5th p^{d} gave S^{r} G. Kneller's chief man Mr. Bland, Clerk at y^{e} wardrobe, framemaker's Serv^{t} wth Cartage, Porters, and Boat hyre to Key . .	2 "

It is fair to say that these charges, amounting in all to eleven pounds and thirteen shillings, on being submitted to the Legislature of Virginia, were refused payment, and the claim was "rejected as being no Country charge." It is painful to observe that if the sons of the cavaliers were not more liberal with their thanks than with their money Mr. Chalmers might have included them in the rebuke he recorded for the men of Massachusetts.

Before the year 1739 the gallery had been enriched by the addition of the portraits of King George the First and King George the Second, together with those of the then late Queen Caroline[1] and the Princess Sophia.[2] In June, 1739, the Province ordered copies of the pictures of King William and Queen Mary, of glorious Memory, to be procured by their agent in England from the best originals that can be found at full length, in order for their being set up in the Council Chamber with the pictures of their Majesties' Royal Successors. The resolution did not omit to commemorate the fact that it was in the fourth year of the reign of William and Mary that "His Majesty's good Subjects of this

[1] Queen Caroline, of Brandenburg Anspach, *b.* 1682, *d.* 1737, wife of George II. in 1705, and grandmother of George III.

[2] Princess Sophia, sister of George II., wife of Frederic William I., of Prussia, and mother of Frederic the Great.

Province were happily incorporated by the present Royal Charter."

The first Town House also contained the beginnings of the first public library in America, for which provision was made in its original foundation by Capt. Robert Keayne directing "a convenient room for a library." Occasional notices may be found of this Library, showing that it had been established or begun; and when the building was destroyed by fire, in 1711, portions of it appear to have been saved, for when the new house was completed, in 1713, the public were duly advised by advertisement to the effect that "All persons that have in their keeping, or can give Notice of any of the Town Library; or other things belonging to the Town House in Boston before the late fire, are desired to inform the Treasurer of the said Town thereof, in order to their being returned." — *Boston News Letter*, *No.* 477, *June* 1–8, 1713.

I have met with few notices of the Library in connection with the second Town House, and if any part was restored to that building, it must have perished in the fire of 1747, with all "the pictures of the Kings and Queens" which I have mentioned.

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I have notes of description, made by an intelligent and observing stranger in 1769. He says of the "decorations" at the Town House: "*In the Council Chamber* the pictures of Charles the 2d; James the 2d; and George the 2d, at full length, and the copies of the pictures of Governor Winthrop, Governor Endicott, Governor Leverett, Governor Bradstreet, Governor Burnett, and the picture three-quarters of Governor Pownall. *In the Representatives' Room*, the picture of Admiral Russell, *betwixt the windows above the Speaker's chair*. There is carved *above the door* the *ancient arms of the Province*, and in the *middle of the ceiling* hangs a *carved wooden codfish*, Emblem of the staple of Commodities of the Province."

The Representatives' Chamber was similar to its neighboring apartment on the east, but provided with wooden seats or benches for the members, arranged on the sides of the room. In 1773 an order was made to provide cushions for these seats. The

Speaker's chair was on the southern side, and in front of him was "the table," at which the Clerk only was also permitted to sit. A disposition seems to have been manifested on the part of somebody to encroach on this reservation, for the second of the Rules and Orders to be observed in the House of Representation in 1775 and in 1777 expressly declares that "No Person shall sit at the Table, except the Speaker and Clerk." I fear that the Speaker's Desk, so carefully preserved in the Cabinet of the Massachusetts Historical Society, and so admirably copied in fac-simile for the other room, will have to be referred to a very late (if any) period of the legislative occupation of this building.

"The Boston seat" must be specially noticed here. From the beginning of legislation under the Province Charter Boston was entitled to four representatives, twice as many as any other town, and "the Boston seat" played an important part in everything that was done. It never failed to exercise a full share of influence in the House, which became more and more conspicuous as the era of the Revolution came on.

It is very evident that "the Boston seat" was a *front seat;* and I have reason to conclude that it was actually in the central division of benches on the north side of the chamber, directly in front of the Speaker. It was known and recognized from an early date, and "the gentlemen of the Boston seat," or "the members of the Boston seat," are frequently mentioned as being charged with special services and duties.

It seems to have been the only monopoly of the kind, and I can recall but one instance of an attempt to invade it. On the 30th of May, 1754, the question was put, whether any particular seat in the House should be assigned to the members of the towns of *Plymouth* and *Salem*. The presumptuous ambition of those towns, however, was checked at once by a vote in the negative.

The earliest decoration of which I have any certain date in the Representatives' Chamber was a branch of candlesticks for its service and ornament, which was offered by Isaac Royal, of Charlestown, and accepted with the thanks of the House on the 23d April, 1748, immediately after the determination to rebuild the House. A subsequent reference to it by John Adams not only assures us that Mr. Royal's liberal intention was carried out, but

that it was a "brass branch of candlesticks," which was duly put in place, directly over the table of the Speaker and Clerk.

In 1750 the ancient Arms of the Colony, carved with great care and pains by Moses Deshon, who also gilded and painted the same, were put up in the House, "over the door." The artist was the same who had executed for the town, a few years before, the Faneuil Arms, elegantly carved and gilt, to be fixed in Faneuil Hall. The consideration (for which he appears to have waited more than two years), finally voted by the House, for the Colony Arms, was six pounds, thirteen shillings and fourpence.

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In 1766 a new feature was introduced in the Representatives' Chamber, of remarkable importance. On the motion of James Otis, who, with Mr. Hancock and Mr. Adams as a committee, carried out the design, it was ordered that the debates of the House should be open; and that a Gallery be erected on the Westerly side of the Chamber for the accommodation of such Persons as should be inclined to attend the same. It was further ordered that no persons be admitted to a seat in the Gallery without applying to and being introduced by a Member of the House. The work was completed before the end of that political year, and the account of Thomas Crafts, Housewright, for erecting a Gallery and other work done by order of the House was presented and allowed on the 17 March, 1796, amounting to £15.6.5. "The gallery of the house" is among the places of dissipation of time in 1768 mentioned in the diary of John Adams, ii., 209. It was afterwards enlarged with a chamber itself, as I shall presently show.

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In June, 1769, the General Court having refused to go on with the business of legislation, in view of the military occupation, and under the guns of the Main Guard, which were planted opposite the doors of the Court House, — as it were, at the points of bayonets and mouths of cannon, — the Governor took them at their

word and adjourned the Court to meet the next day, June 16th, at Cambridge. It was no softening of this blow to the House, but it was with pain that they were obliged to observe that the very night after this adjournment was made the cannon were removed from the Court House and put on board a vessel for Halifax.

Among the resolves of the 29th June, read and corrected July 7, 1769, etc., is the following: —

"*Resolved*, That whoever *gave Order* for *Quartering* even *Common Soldiers and Camp Women in the Court House in Boston, and in the Representatives' Chamber*, where some of the principal Archives of the Government had been usually deposited, making a Barrack of the same, placing a Main Guard with cannon pointed near the said House and Sentinels at the Door, designed a high Insult and a triumphant Indication that the Military power was Master of the whole Legislative."

In the petition to the king, 1769, it is said, "Your Majesty's said Governor . . . *ordered the very Room which is appropriated for the Meeting of the Representatives of the General Assembly, and was never used for any other Purpose, and where their Records are kept, to be employed as a Barrack for the Common Soldiers:* And the Centinels were so posted as that *your Majesty's Council*, and the *Justices of the Courts of Common Law*, were daily *interrupted and* even *challenged* in their Proceeding to the Business of their several Departments."

"January 9th, 1773. Upon a motion, *Ordered*, That Mr. Speaker, Mr. *Hancock*, Mr. *Bacon*, and Major *Hawley*, be a Committee to inspect the State of this Building and report what Repairs are necessary."

This was soon after the opening of the Court upon its return from the Cambridge exile, the fourth day of the second session of the General Court of 1772–73. Nearly four years had passed since the Legislature had been compelled to meet elsewhere than in their "ancient and convenient seat," constantly and vainly struggling against their removal and exile as an arbitrary violation of their Charter rights.

"February 2d. The Committee appointed to inspect the State of the Court House reported.

"And thereupon it was *Ordered*, That the Speaker, Mr. *Hancock*,

and Mr. *Adams*, with such as the Honorable Board shall join, be a Committee to see to the necessary repairs of the Court House, and to agree with a Painter to paint the Rooms in which the Council and House of Representatives sit in General Assembly."

The Legislature sat until March 6, 1773, so that the repairs were probably made between that date and May, when the new Court assembled.

"June 29th, 1773. Upon a motion, *Ordered*, That the Committee appointed to see to the necessary repairs of the *State House*, provide cushions for the several seats in this room."

It is a noteworthy fact that these repairs of 1773 which elicited this little demonstration of a desire on the part of the House for comfort (if not luxury) in sitting were so little enjoyed under the old *régime*, the Chamber being occupied afterwards by the Legislature of the Province only a few months, terminating with the first four days of its brief existence in 1774, — May 25th to 28th, — when Gage adjourned the session to meet at Salem on the 7th of June.

On this occasion also the name of "State House" first appears, although it did not come immediately into common use. But it attracted the notice of Governor Hutchinson, who mentions it in his history as an illustration of the change in the style and language of the General Assembly, which he attributes to Samuel Adams, whose "attention to the Cause in which he was engaged would not suffer him to neglect even small circumstances, which could be made subservient to it."

Immediately after the British evacuation of Boston measures were taken to cause such repairs to be made in the State House as were necessary to fit it for the reception of the General Court. A difficulty was apparent at once in providing accommodation for the Representatives, who now numbered more than 200. On the 8th April a special committee was charged "to inquire and report whether the Chamber in the Town House in Boston, which had been used by the Courts for the County of Suffolk, could be purchased for the use of the House of Representatives, that the Partition between it and the Representatives' Room in said House may be taken down and the two Rooms made into one, and what would be the Expense thereof." Another committee, appointed to

treat with a committee of the Justices of the County of Suffolk in the following June, reported an offer on the part of the County to sell their interest to the Colony for the sum of *one thousand pounds.*

In the following October, however, the Justices, by formal order of Court, tendered to the Great and General Assembly of the State the Chamber in the Old Court House in which the Courts of Law formerly sat, upon condition that the State should allow such a sum therefor to the County as the Great and General Assembly should determine to be just and reasonable.

A committee was forthwith despatched to view the premises and report what was proper to be done, and on the 18th October, 1776, "*Daniel Davis*, Esq., brought down from the honorable board Mr. Commissary Smith's account, with the report of a Committee of both Houses thereon, viz. : —

"The Committee appointed to view the Representatives' Chamber, and the County Chamber thereto adjoining, and to report what is necessary to be done in order to accommodate the House of Representatives, reported as follows, viz. : "The Committee find that the present Chamber will accommodate 150 members, by shutting up the west door, and erecting a few seats ; but as the present House of Representatives consists of more than 200 Members, your Committee think it best that the partition betwixt the Representatives' Chamber and the County Chamber should be removed within 11 feet of the west end of the Court House ; and that the stairs go up in the north-west corner of said House ; and that the said 11 feet be improved for a lobby and entry-way ; and that over the same be a gallery, to accommodate spectators, agreeable to the plan herewith exhibited ; the whole of which your Committee think may be completed for about *forty pounds.* All which is humbly submitted. W. Story, *per order.*"

"Read and accepted, and thereupon "*Ordered*, That the said Committee make the alterations proposed, or such alterations as they shall judge best.

"*Voted*, That the Great and General Court be removed into Boston, as soon as they can with safety.

"October 19. *Voted*, That Mr. *Otis* be of the Committee ap-

pointed to enlarge the Representatives' Chamber in the Court House in *Boston*, in the room of Mr. *Partridge*, excused.

"November 9. On motion, *Voted*, at the desire of the House, that when this Court shall be adjourned, it be adjourned to the Court House in Boston.

"*Ordered*, That a message go to the major part of the Council to desire them to adjourn this Court to Tuesday next [Nov. 12th], at ten o'clock in the forenoon, then to meet at the Court House in Boston."

The session ended on the same day, and the adjournment took place from Watertown to meet accordingly at the Court House in Boston.

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